

THE SOUTHERN CALIFORNIA DISTRICT
OF THE COMMUNIST PARTY
Structure—Objectives—Leadership

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION

PART 2
SEPTEMBER 4 AND 5, 1958

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(Index in Part 3)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

18. Committee on Un-American Activities; to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

(g) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES.

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

(Part 2)

THURSDAY, SEPTEMBER 4, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:45 a.m., in room 229, Federal Building, Los Angeles, Calif., Hon. Francis E. Walter (chairman) presiding. Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Morgan M. Moulder, of Missouri.

Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

THE CHAIRMAN: Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BLAIR. I do.

TESTIMONY OF HARRIET BLAIR, ACCOMPANIED BY COUNSEL, ELMO VICKERS

Mr. TAVENNER: Will you state your name, please?

Mrs. BLAIR: Harriet Blair.

Mr. TAVENNER: Will counsel accompanying the witness please identify himself for the record?

Mr. VICKERS. I am Elmo Vickers. Do you want my office address, too?

Mr. TAVENNER: Yes.

Mr. VICKERS. 3409 West Beverly Boulevard, Montebello, Calif. The telephone number is Parkview 88-8184.

Mr. TAVENNER: Is Blair your married name or your maiden name?

Mrs. BLAIR. My married name.

¹ Released by the committee and ordered to be printed.

The executive testimony herewith released formed part of the background information on which is based the "Report on the Southern California District of the Communist Party: Structure—Objectives—Leadership," H. Rept. No. 259, released by the Committee on Un-American Activities on Apr. 3, 1959.

Mr. TAVENNER. What was your maiden name?

Mrs. BLAIR. Harriet Lewis.

Mr. TAVENNER. How do you spell Lewis?

Mrs. BLAIR. L-e-w-i-s.

Mr. TAVENNER. When and where were you born, please?

Mrs. BLAIR. In New York City, January 12, 1915.

Mr. TAVENNER. What is your occupation?

Mrs. BLAIR. I am a housewife.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mrs. BLAIR. Approximately in May 1944.

Mr. TAVENNER. Were you formerly a member of the Communist Party of the Southern District of California?

Mrs. BLAIR. The only way I can answer that question is by the first amendment which gives everyone the right to associate with whom they choose, and the fifth amendment, that portion of the fifth amendment which is intended to protect the innocent and permit people to refuse to answer questions of this kind because the answer of such a question will tend to incriminate me.

The CHAIRMAN. Then do we understand with that, that you decline to answer that question?

Mrs. BLAIR. I decline to answer that question.

Mr. TAVENNER. The investigation made by the committee up to the present time discloses that you were a delegate to the Southern California District convention of the Communist Party which met here in Los Angeles on April 13 and 14 of 1957. Is this information correct?

Mrs. BLAIR. For that question I have the same answer as previously stated.

Mr. TAVENNER. I haven't asked you your address. What is your address?

Mrs. BLAIR. 2114 Cowlin Street, Los Angeles.

Mr. TAVENNER. That is within the Los Angeles area of the Communist Party; is it not?

Mrs. BLAIR. For that question I have the same answer as previously stated.

Mr. TAVENNER. The committee has received information indicating the resignation of a number of members of the Communist Party after the difficulty arose in the National Convention of the Communist Party and the National Committee meetings relating to the Hungarian question and the execution of Nagy. Were you one of those who resigned?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Have you received a Communist Party assignment to be active within the Independent Progressive Party of California?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Were you not, in fact, chairman of the East Los Angeles Club of the Independent Progressive Party?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Were you not actually the director in 1954 of the Independent Progressive Party's campaign for the 19th Congressional District in Los Angeles?

Mrs. BLAIR. I decline to answer that question for the reasons already stated.

Mr. TAVENNER. Were you not also a member of the State Central Committee of the Independent Progressive Party in 1954?

Mrs. BLAIR. Same answer as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in 1954?

Mrs. BLAIR. I refuse to answer that question, too, for the reasons already given.

Mr. TAVENNER. The committee is informed that at the April 13 and 14 meeting of the Communist Party for the Southern District of California Dorothy Healey made a report in which she emphasized the importance of party work in mass organization, in which at that time she is said to have made this statement:

"So we start by trying to unite the members"—that is members of mass organization—"on issues already projected by their own organizations, and continue by finding the way to unite that organization and its members with others."

Did that represent the objective of the Communist Party in April of 1957?

(The witness confers with her counsel.)

Mrs. BLAIR. I refuse to answer that question for the reasons already stated and because I don't believe you really want my opinion about anything.

Mr. TAVENNER. Yes, I do not want your opinion but I want facts insofar as you are familiar with them. I want to ask you if you carried out that program of the Communist Party and whether you are doing it now.

Mrs. BLAIR. I refuse to answer this question on the grounds already stated.

Mr. TAVENNER. What other mass organizations are you a member of?

Mrs. BLAIR. I refuse to answer this question for the grounds already stated, the first and the fifth amendments.

Mr. TAVENNER. Have you received Communist Party instructions to become active in the Parent Teachers Association?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Are you active in the Parent Teachers Association?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Have you received Communist Party instructions to be active in the Girl Scout organization?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Are you active in such an organization?

Mrs. BLAIR. I decline to answer for the same reason already stated.

The CHAIRMAN. Is she a member of the Girl Scouts, Mr. Tavenner?

Mr. TAVENNER. I do not know, Mr. Chairman.

The CHAIRMAN. Are you a member of the Girl Scouts?

Mrs. BLAIR. I decline to answer that question.

The CHAIRMAN. On the grounds that it might incriminate you?

Mrs. BLAIR. Correct.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mrs. BLAIR. Thank you.

The CHAIRMAN. Call your next witness.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOSMAN. I do.

TESTIMONY OF LORRIS GOSMAN, ACCOMPANIED BY COUNSEL,
JACK TENNER

Mr. TENNER. I would like to express my thanks to Mr. Wheeler of the committee for taking my client as promptly as you did this morning. I just had some minor surgery.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. GOSMAN. Lorris Gosman.

Mr. TAVENNER. How do you spell your name?

Mr. GOSMAN. L-o-r-r-i-s G-o-s-m-a-n.

Mr. TAVENNER. Are you also known by the name of Lloyd?

Mr. GOSMAN. Lloyd?

Mr. TAVENNER. Yes.

Mr. GOSMAN. No.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. TENNER. Jack Tenner, T-e-n-n-e-r.

Mr. TAVENNER. Mr. Gosman, where do you reside?

Mr. GOSMAN. Los Angeles.

Mr. TAVENNER. At what address?

Mr. GOSMAN. 4039 Camero.

Mr. TAVENNER. Please state when and where you were born.

Mr. GOSMAN. New York City, January 16, 1913.

Mr. TAVENNER. What is your occupation?

Mr. GOSMAN. I am self-employed. Salesman.

Mr. TAVENNER. Have you had any other occupation within the past 7 or 8 years?

Mr. GOSMAN. I have worked—

Mr. TAVENNER. Let us say since 1950?

Mr. GOSMAN. Yes.

Mr. TAVENNER. Will you please state it?

Mr. GOSMAN. I was manager of a grocery market.

Mr. TAVENNER. Up until what period of time?

Mr. GOSMAN. Around 1952. Somewhere around there. I don't recall exactly.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. GOSMAN. January of 1948.

Mr. TAVENNER. Will you state briefly your formal educational training?

Mr. GOSMAN. High school graduate; 2 years of college.

Mr. TAVENNER. Mr. Gosman, in the course of the present investigation that the committee is making, the committee is informed that you were a delegate to a convention of the Los Angeles County Communist Party held in Los Angeles on January 5 and 6, 1957. Is this correct?

Mr. GOSMAN. I will decline to answer that, Mr. Tavenner, on the grounds of the first and fifth amendments of the Constitution of the United States.

Mr. TAVENNER. The committee information also is that there was a district convention of the Communist Party of Southern California, that is, the Southern District of California, held in Los Angeles on April 13 and 14, 1957, which was attended by you.

Mr. GOSMAN. I will decline to answer that on the same grounds.

Mr. TAVENNER. At the meeting just referred to a report was made by Dorothy Healey in which she explained the duty devolving upon Communist Party members in her district to take part in the activities of various mass organizations. Will you state, please, whether or not you have been engaged in Communist Party activities within mass organizations at the direction of the Communist Party?

Mr. GOSMAN. I will decline to answer that on the same grounds.

Mr. TAVENNER. Have you been active in the work of the Independent Progressive Party in this area at the direction of the Communist Party?

Mr. GOSMAN. I will decline to answer that on the same grounds.

Mr. TAVENNER. Have you been or were you active at the instance of the Communist Party in the work of the Citizens Committee to Secure Justice for the Rosenbergs?

Mr. GOSMAN. Same answer.

Mr. TAVENNER. Were you also active in behalf of the Communist Party, and at its suggestion, in the American Peace Crusade?

Mr. GOSMAN. I will decline to answer that on the same grounds. I also object to the "also," Mr. Tavenner. Those are your words. They are not mine.

Mr. TAVENNER. Yes, they are my words.

Mr. GOSMAN. You are implying that I was. That is your implication, not mine.

Mr. TAVENNER. Yes.

I offer in evidence a thermofax copy of an excerpt from the January 17, 1952, issue of Daily People's World and ask that it be marked "Gosman Exhibit No. 1."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Gosman Exhibit No. 1" and retained in committee files.)

Mr. TENNER. May I have the date of that exhibit?

Mr. TAVENNER. January 17, 1952.

I refer to an article entitled, "Meeting To Spur Peace Pact Drive." It reads as follows:

A meeting to support a campaign around the worldwide petitions for a five-power peace pact will be held at 8:15 p.m. Friday at the home of Mr. and Mrs. Lorris Gosman, 1278 North Kingsley Drive. The meeting will be jointly sponsored by a group of citizens in the 24th Congressional District and by the American Peace Crusade.

Does not that article describe your participation in the work of the Peace Crusade?

(The witness confers with his counsel.)

Mr. GOSMAN. I will decline to answer that, Mr. Tavenner, on the same grounds.

Mr. TAVENNER. During the same year were you assigned to the East Hollywood Club of the 24th Congressional District, 56th Assembly District of the Independent Progressive Party?

Mr. TENNER. What would be the date of that?

Mr. TAVENNER. 1952.

Mr. TENNER. Thank you, sir.

Mr. GOSMAN. I decline to answer that on the same grounds.

Mr. TAVENNER. Were you solicited by anyone to become a signer of a letter of resignation addressed to the National Committee of the Communist Party in the spring of 1958?

Mr. GOSMAN. May I confer with my attorney on this?

(The witness confers with his counsel.)

Mr. GOSMAN. I decline to answer that on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. GOSMAN. I decline on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Were you a member of the Independent Progressive Party?

(The witness confers with his counsel.)

Mr. GOSMAN. I will decline to answer that. Same grounds.

The CHAIRMAN. All right. Any further questions?

Mr. TAVENNER. No, sir.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SWANHUYSER. I do.

TESTIMONY OF JANE SWANHUYSER, ACCOMPANIED BY COUNSEL, MORTIMER VOGEL

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. VOGEL. Mortimer Vogel; Hollywood.

Mr. TAVENNER. Is Jane Swanhuyser your maiden name or your married name?

Mrs. SWANHUYSER. My married name.

Mr. TAVENNER. What was your maiden name?

(The witness confers with her counsel.)

Mrs. SWANHUYSER. Garrett.

Mr. TAVENNER. Where do you reside?

Mrs. SWANHUYSER. I decline to answer that on the grounds that it is not pertinent, Mr. Tavenner, and the amendments to the Constitution.

Mr. TAVENNER. Are you a resident of Reseda, Calif.?

Mrs. SWANHUYSER. Same answer, sir.

The CHAIRMAN. I direct you to answer the question. Certainly we have a right to identify witnesses.

Mrs. SWANHUYSER. Yes, I reside in Reseda, sir.

Mr. TAVENNER. What is your occupation?

Mrs. SWANHUYSER. I am a housewife.

Mr. TAVENNER. Do you have any other occupation?

Mrs. SWANHUYSER. Occasionally I have been employed, but I am a housewife.

Mr. TAVENNER. What is the general nature of the employment?

Mrs. SWANHUYSER. I do market research.

Mr. TAVENNER. For any State or Federal Government agency?
(The witness confers with her counsel.)

Mrs. SWANHUYSER. No, sir.

Mr. TAVENNER. Will you state briefly what your formal educational training has been?

Mrs. SWANHUYSER. I graduated from high school and I have had some college training. I am not a college graduate.

Mr. TAVENNER. Will you please state the date and place of your birth?

Mrs. SWANHUYSER. I was born in St. Paul, Minn.

Mr. TAVENNER. I did not get the name.

Mrs. SWANHUYSER. St. Paul, Minn., on January 25, 1913.

Mr. TAVENNER. When did you first come to California with the view to making it your place of residence?

Mrs. SWANHUYSER. 1941, I think, about July.

Mr. TAVENNER. Have you lived in California constantly since that time?

Mrs. SWANHUYSER. I have.

Mr. TAVENNER. Were you a delegate to the California State convention of the Communist Party held on January 19 and 20, 1957?

Mrs. SWANHUYSER. I decline to answer that question, sir, on the grounds of the Constitution and the amendments thereto.

Mr. TAVENNER. Were you a delegate to the Los Angeles County convention held January 5 and 6, 1957?

Mrs. SWANHUYSER. Same answer, sir.

Mr. TAVENNER. Do you know whether or not at that convention authority was given to divide the State of California into two districts, that of the Southern District of California and the Northern District of California?

Mrs. SWANHUYSER. Same answer.

Mr. TAVENNER. Were you, in 1943, a member of the Van Nuys Club of the Communist Party?

Mrs. SWANHUYSER. Same answer.

Mr. TAVENNER. Did you serve as executive secretary of that club?

Mrs. SWANHUYSER. Same answer, sir.

Mr. TAVENNER. In 1951 were you an organizer for the Western Division of the Communist Party in California?

Mrs. SWANHUYSER. Same answer, sir.

Mr. TAVENNER. It is the committee's information that you have presently withdrawn from the Communist Party, that you are not now a member. So I want to ask you: Are you a member of the Communist Party at this time?

Mrs. SWANHUYSER. Same answer.

The CHAIRMAN. Is the information that the committee has, that you are not a member of the Communist Party, correct?

Mrs. SWANHUYSER. Same answer.

Mr. MOULDER. Were you a member of any organization which advocates the overthrow of our present form of government by force and violence?

Mrs. SWANHUYSER. Same answer.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a thermofax copy of an excerpt from the March 25, 1949, issue of the Daily People's World, entitled "Meet One of the L.A. 17, Jane Swanhuyser, Marxist, mother, American," and ask that it be marked "Swanhuyser Exhibit No. 1."

The CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Swanhuyser Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine the article and state whether or not the photograph contained within the article is your likeness?

Mrs. SWANHUYSER. I decline to answer that on the same grounds.

Mr. TAVENNER. Are you the Jane Swanhuyser referred to in that article?

Mrs. SWANHUYSER. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please. Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOVNER. I do.

TESTIMONY OF JULIUS KOVNER, ACCOMPANIED BY COUNSEL, MORTIMER VOGEL

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KOVNER. Julius Kovner.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. VOGEL. Mortimer Vogel; Hollywood.

Mr. TAVENNER. Where do you live, Mr. Kovner?

Mr. KOVNER. I decline to answer that question on the grounds of the Constitution and the Bill of Rights and the protection I am afforded thereby.

Mr. TAVENNER. Is your correct address 4253 Fulton Avenue, Van Nuys, Calif.?

Mr. KOVNER. I have declined to answer that question on the same grounds.

The CHAIRMAN. You are directed to answer the question.

Mr. KOVNER. I decline to answer that question on the grounds of the Bill of Rights, the 1st, 4th, 5th, the 9th, and 10th amendments.

Mr. TAVENNER. Were you born in Hartford, Conn., on September 18, 1912?

Mr. KOVNER. I was.

Mr. TAVENNER. What is your occupation?

Mr. KOVNER. I decline to answer that question on the same grounds as previously mentioned.

Mr. TAVENNER. Are you at the present time a member of the Carpenters Union in Van Nuys?

(The witness confers with his counsel.)

Mr. KOVNER. I decline to answer that question on the grounds previously mentioned.

Mr. TAVENNER. As a matter of fact, you were expelled by the union, weren't you?

Mr. KOVNER. Same answer.

Mr. TAVENNER. Weren't you expelled by that union for Communist Party activities?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a thermofax copy of the May 22, 1951, issue of the People's World and also the September 28, 1950, issue of the People's World.

The CHAIRMAN. They will be marked.

Mr. TAVENNER. And mark them "Kovner Exhibits 1 and 2," respectively, in the inverse order in which I mentioned them.

(Documents marked "Kovner Exhibits Nos. 1 and 2," respectively, and retained in committee files.)

Mr. TAVENNER. Were you a delegate from the San Fernando area to the Southern California District convention of the Communist Party held in Los Angeles on April 13 and 14, 1957?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. The committee has learned through reports that have been made available to it in the form of a statement made by Dorothy Healey at the district convention of the Southern District of California, held in April 1957, that special emphasis was being placed at the time upon the work of members of the Communist Party in various mass organizations. I would like to ask you whether or not that is a continuation of the policy and purpose of the Communist Party or whether there was anything new regarding the Communist Party decision at that time?

Mr. KOVNER. You would know that better than I.

Mr. TAVENNER. Well, I am not so sure. I think I do know a good bit about it, but according to the information of the committee, you engaged in that type of activity, and if that is so, there is no one in a better position to describe your own activities than you. So, therefore, I am asking you the question.

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you a member of the Studio City Club of the Independent Progressive Party?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you engage in activities within that party at the instance of any Communist Party unit or Communist Party functionary?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. In 1954 were you a member of the California State Central Committee of the Independent Progressive Party?

Mr. KOVNER. I decline to answer that question. Same grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of an Independent Progressive Party appointment of members of the State Central Committee for the year 1954 with regard to three persons, the second of whom is Julius Kovner, and ask that it be marked "Kovner Exhibit No. 3."

The CHAIRMAN. It will be marked.

(Document marked "Kovner Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. Will you examine exhibit No. 3, Mr. Kovner, and state whether or not the second name appearing among the three appointments is your name.

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. I also offer in evidence a photostatic copy of a similar document for the year 1948 and ask that it be marked "Kovner Exhibit No. 4."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. Will you examine exhibit No. 4 and state whether or not your name appears on line 3 of the appointees?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. That document is for the year 1948. During the same year of 1948 were you not active in circulating petitions for the Independent Progressive Party to participate in the primary election of that year?

Mr. KOVNER. I decline to answer on the same grounds.

Mr. TAVENNER. I offer in evidence a photostatic copy of an Independent Progressive Party petition to participate in the primary election of June 1, 1948, at the end of which there is an affidavit over the name of Julius Kovner, and ask that it be marked "Kovner Exhibit No. 5."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 5" and retained in committee files.)

Mr. TAVENNER. Will you examine the signature of the name of Julius Kovner at the end of the affidavit and state whether or not it is your signature?

Mr. KOVNER. I decline to answer that question. Same grounds.

Mr. TAVENNER. Mr. Kovner, did you participate at the instance of the Communist Party or any functionary thereof in the National Youth Assembly Against Universal Military Training?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. I offer in evidence a thermofax copy of the February 16, 1948, issue of the People's World carrying an article entitled, "Army Draft Protest Set Tonight," and ask that it be marked "Kovner Exhibit No. 6."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. This document refers to one of the announced speakers as Julius Kovner, Valley Local of AFL Carpenters Union. Will you examine the exhibit, please, and state whether or not you appeared and took part in that rally as a speaker as indicated by the advance notice?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you also actively participate at the instance of the Communist Party or any functionary of it in the work of the Civil Rights Congress?

Mr. KOVNER. I decline to answer. Same grounds.

Mr. TAVENNER. I offer in evidence as exhibit 7 a thermofax copy of the June 11, 1951, issue of People's World.

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 7" and retained in committee files.)

Mr. TAVENNER. When did you first come to California for the purpose of making it the place of your permanent residence?

Mr. KOVNER. 1943.

Mr. TAVENNER. Have you lived and worked in California continuously since that time?

Mr. KOVNER. Except when I was in the Army.

Mr. TAVENNER. How long were you in the military service?

Mr. KOVNER. Approximately a year.

Mr. TAVENNER. Did you receive an honorable discharge?

Mr. KOVNER. I sure did.

Mr. TAVENNER. What has been your formal educational training?

Mr. KOVNER. I graduated from high school and got in about 2 or 3 years of night college.

Mr. TAVENNER. Where did you attend college?

Mr. KOVNER. Back East.

Mr. TAVENNER. Where?

Mr. KOVNER. Brooklyn College.

Mr. TAVENNER. Where did you attend high school?

Mr. KOVNER. De Witt Clinton High School.

Mr. TAVENNER. Where is that located?

Mr. KOVNER. New York.

Mr. TAVENNER. Where were you born?

Mr. KOVNER. Hartford, Conn.

Mr. TAVENNER. And the date of your birth is what?

Mr. KOVNER. I declined to answer that question before.

Mr. TAVENNER. Did you say that you answered that question before?

Mr. KOVNER. I don't think I did.

Mr. TAVENNER. I didn't think so, either. What is the date of your birth?

Mr. KOVNER. I declined to answer that question before.

Mr. TAVENNER. You refuse to tell how old you are? Weren't you born September 18, 1912?

Mr. KOVNER. You asked me that question before. I refused to answer it.

Mr. TAVENNER. I am interested in your reason. What reason could you possibly have—

Mr. KOVNER. I don't have to—

Mr. TAVENNER. For thinking that the answer to that question might tend to incriminate you?

Mr. KOVNER. Do I have to have a reason?

Mr. TAVENNER. Yes; you certainly do.

Mr. KOVNER. Just the feeling I have about the committee, the pertinency.

Mr. TAVENNER. As I mentioned earlier, the committee has learned of certain Communist Party plans through various reports made by Dorothy Healey. One section of her report deals with the activity of its members in the field of labor. Are you at this time engaged in Communist Party activities within any labor organization?

Mr. KOVNER. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MARSHALL. Yes; I do.

**TESTIMONY OF BERTHA MARSHALL, ACCOMPANIED BY COUNSEL,
DAN MARSHALL**

Mr. TAVENNER. Will you state your name, please?

Mrs. MARSHALL. Bertha Marshall.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Dan Marshall, admitted to the practice of law in the State of California and engaged in the practice of law in Los Angeles.

The CHAIRMAN. I did not hear the witness.

Mrs. MARSHALL. Bertha Marshall.

Mr. TAVENNER. Is that your married name or your maiden name? (The witness confers with her counsel.)

Mr. TAVENNER. I think I can shorten this. I withdraw the question. Was your maiden name Bertha Kuppersmith?

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer this question on the following grounds: By reason of the provisions of the first amendment which forbids this committee from abridging my freedom of speech, press, political belief and association, assembly and inquiry. By reason of the provisions of the fourth amendment of the Bill of Rights which makes me secure in my person, house, papers, and effects from this unreasonable search and seizure of this committee. By reason of the provisions of the fifth amendment of the Bill of Rights which forbids this committee from attempting to compel me to be a witness against myself, and attempting to deprive me of my liberty, property, and the right to earn a livelihood without due process of law, an amendment which creates a privilege for the innocent, and by the use of this privilege I admit no guilt whatsoever. By reason of the provisions of the sixth amendment of the Bill of Rights which requires you to confront me with any persons whom you say accuse me of wrongdoing.

By reason of the ninth amendment of the Bill of Rights which forbids your denying or disparaging the rights retained by the people, including all the constitutional rights contained in the first, fourth, fifth, and sixth amendments. By reason of the provisions of the 10th amendment of the Bill of Rights which forbids this committee from proceeding with this inquiry, which deals with powers reserved to the people.

This question lacks pertinency. This committee has not given me or made available to me any knowledge which conceivably could make this inquiry and this question pertinent with that degree of explicitness and clarity required by the due process clause.

The power of this committee is not unlimited. It has no general authority to expose the private affairs of individuals simply for the sake of exposure. This investigation is unrelated to any legislative

purpose, being beyond the power conferred upon the Congress under the Constitution.

This committee has not made clear with undisputable clarity the subject matter of this inquiry. It is the duty of the committee upon my present objection to state for the record the subject under inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful and must describe what the topic under inquiry is and the connective reasoning whereby the question now asked me relates to it.

Mr. MARSHALL. Will it be understood, Mr. Chairman, that if the witness declines to answer any further questions, she will be deemed to have so declined upon each, all, and every of the grounds she has now stated?

The CHAIRMAN. Yes.

Mr. TAVENNER. The grounds stated by you for your refusal to answer—I believe you read from a prepared statement made ahead of the hearing. Is that correct?

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer that upon the same grounds.

The CHAIRMAN. Just a minute. The question was what was your maiden name, is that it?

Mr. TAVENNER. The primary question was whether or not her maiden name was Bertha Koppersmith.

The CHAIRMAN. You are directed to answer the question, Mrs. Marshall, whether or not your name was Bertha Koppersmith.

Mr. MARSHALL. We passed that question. I think we are on the memorandum.

The CHAIRMAN. I am directing her to answer the question.

Mr. MARSHALL. May we have the question read that you are directing her to answer?

The CHAIRMAN. Was your maiden name Bertha Koppersmith?

Mr. MARSHALL. Could we have it again? May we have the reporter read the pending question?

The CHAIRMAN. Read the question.

Was your name Bertha Koppersmith? You understand the question, don't you?

Mrs. MARSHALL. It was Bertha Koppersmith.

The CHAIRMAN. The answer is "Yes, sir"?

Mrs. MARSHALL. Yes.

Mr. TAVENNER. That has taken about 20 minutes.

Mr. MOULDER. I would like to have the record show that the reasons given by the witness were taken from a written statement.

Mr. MARSHALL. What is the objection?

The CHAIRMAN. He is just making a statement.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Were you born April 9, 1901, in Stordzyentz, Rumania?

Mrs. MARSHALL. I decline to answer this question on grounds previously stated.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Were you naturalized as a citizen of the United States on May 21, 1928, in the State of New York?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

The CHAIRMAN. You are directed to answer the question. We are merely trying to identify you with a degree of certainty that will eliminate the possibility of any person by the same name becoming involved in this. Were you naturalized on that date?

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

The CHAIRMAN. All right.

Mr. TAVENNER. Were you a delegate to the Los Angeles County convention of the Communist Party held in Los Angeles on January 5 and 6, 1957?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you also a delegate to the Southern California District convention, held on April 13 and 14, 1957, in Los Angeles?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee has learned through a report made by Dorothy Healey at the convention on April 13 and 14, 1957, that one of the main concentrations of the Communist Party at this time in this area is work within mass organizations. Have you been called upon by the Communist Party to engage in that type of work since the date of her report, April 1957?

Mrs. MARSHALL. I decline to answer on the grounds stated.

Mr. TAVENNER. Weren't you already engaged in work of that kind and had been so engaged for a number of years?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you assigned by the Communist Party or a Communist Party functionary to engage in Communist Party activities within the Independent Progressive Party in this State?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Didn't part of your assignment consist of the circulation as early as 1948 of petitions of the Independent Progressive Party of California to participate in primary elections?

Mrs. MARSHALL. I decline to state on the grounds previously stated.

Mr. TAVENNER. I offer in evidence and ask that it be marked as "Marshall Exhibit No. 1" a photostatic copy of an Independent Progressive Party of California petition to participate in the primary election of June 1, 1948.

The CHAIRMAN. Make it a part of the record.

(Document marked "Marshall Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. I call the witness' attention to an affidavit, appearing at the end of the petition, over the signature of Mrs. Bertha Marshall. Will you examine the signature and state whether or not it is your genuine signature?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. TAVENNER. Are you now actively engaged in political work at the instance of the Communist Party?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. TAVENNER. Have you been instructed or directed by your Communist Party unit or any functionary of the Communist Party to keep your Communist Party identity a secret?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. TAVENNER. How long have you lived in California?

Mrs. MARSHALL. I decline to state on grounds previously stated.

Mr. TAVENNER. Were you not as early as 1943 a member of the Mid Town Section of the Communist Party in Los Angeles?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Were you not the membership director of this section of the Communist Party?

Mrs. MARSHALL. I decline to state, to answer this question on grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in April of 1957?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. I have forgotten whether or not the question was asked as to where you were born. I do ask you that question. In what country were you born?

Mr. MARSHALL. That has already been asked and answered.

Mr. MOULDER. Rumania. I have this question to ask, too. Have you conferred with any person or persons, other than your counsel, after having been served with a subpoena, as to how you would or should conduct yourself as a witness when appearing before this committee?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. MOULDER. My reason for asking that question is that there seems to be a concerted action on the part of most all of the witnesses who have been subpoenaed to refuse any and all questions regardless of whether or not their refusal under the Constitution is a reasonable refusal, is being used in good faith.

The CHAIRMAN. That is all.

Mr. MARSHALL. Mr. Chairman, the witness objects to her name being released to the press as having appeared before this committee and likewise objects to any résumé of her testimony being given to the press and objects to any information being given as to the position she took in this hearing. We do not intend to give our name to the press, nor do we intend to tell the press anything that occurred in this room.

The CHAIRMAN. You should see what happened yesterday, Mr. Marshall.

Mr. MARSHALL. What happened, sir?

The CHAIRMAN. A witness, before he came in here, gave to the press a statement and then came in and testified. He had already given the statement to the press.

Mr. MARSHALL. We have not given a statement.

Mr. TAVENNER. His statement appeared in the public press before he testified.

Mr. MARSHALL. We do not know to whom you refer. It is not us.

The CHAIRMAN. We have been trying to the best of our ability to see to it that people do not get into nasty situations. We are not getting too much cooperation.

Mr. MARSHALL. You are getting it from this witness. She does not want her name released. She will not release it. She does not want it discussed with the press at all.

The CHAIRMAN. When she walks out, she is going to see some newspaper people.

Mr. MARSHALL. She is not going to say anything to them.

The CHAIRMAN. Someone knows her. Someone will recognize her.

Mr. MARSHALL. We will say nothing, and that is all there is to it.

The CHAIRMAN. All right.

(Members present: Representatives Walter and Moulder.)

(Brief recess.)

The CHAIRMAN. Raise your right hand, please, young lady. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HENRICKSON. I do.

TESTIMONY OF ELLIE HENRICKSON, ACCOMPANIED BY COUNSEL, DAN MARSHALL

Mr. TAVENNER. Will you state your name, please?

Mrs. HENRICKSON. Ellie Henrickson.

Mr. TAVENNER. Is that your married name?

(The witness confers with her counsel.)

Mr. TAVENNER. I think first you had better spell your name for the record.

Mrs. HENRICKSON. My last name?

Mr. TAVENNER. Both names.

Mrs. HENRICKSON. It's E-l-l-i-e H-e-n-r-i-c-k-s-o-n.

Mr. TAVENNER. Now my question is whether or not that is your married name.

(The witness confers with her counsel.)

Mr. MOULDER. May I interrupt the counsel and witness? Will you reframe that question? Is that Mrs. or Miss?

Mrs. HENRICKSON. It is Mrs.

Mr. TAVENNER. What was your maiden name?

Mrs. HENRICKSON. Mr. Chairman, I am going to decline to answer this question on the following grounds: First of all, by reason of the first amendment, which states that Congress shall make no law abridging freedom of speech or of press or the right of the people to peaceably assemble.

I am also declining to answer this question based on the fourth amendment of the Constitution, which gives me the right to be secure in my house and papers from the kind of unreasonable search and seizure by this committee.

I am also declining based on my rights under the fifth amendment of the Constitution which forbids the committee to compel me to be a witness against myself and to deprive me of my liberty and property and the right to earn a livelihood without due process of law. I would like to make it very clear that this is an amendment which protects the innocent and that I am not feeling that I am hiding anything. I do not feel guilty, but I do feel that under the atmosphere that has been created here I could, in answering this question, could tend to incriminate me.

I would also like to decline this question based under my rights of the sixth amendment of the Constitution, which requires this committee to confront me with any witnesses who might accuse me of any wrongdoing. I am not aware of any wrongdoing.

I would also like to decline under the ninth amendment of the Constitution, which forbids this committee or Congress from denying or disparaging any of the rights that are retained by the people, including all the rights under the Constitution.

I would also like to decline under the 10th amendment of the Constitution, which forbids this committee from proceeding with any inquiry which deals with powers that are reserved to the people.

Finally, I would like to decline based on lack of pertinency. I cannot see where this question is pertinent since the committee has not given me any understanding as to the basis for this inquiry, to make it clear beyond a reasonable doubt as to what the inquiry deals with. I cannot see how this question is pertinent.

Mr. TAVENNER. May I have a direction that she answer the question?

The CHAIRMAN. I direct the witness to answer.

Mr. MARSHALL. Just a minute, Mr. Tavenner. She may not have finished her answer.

Mrs. HENRICKSON. I would like to restate the question of pertinency, that this question lacks pertinency and this committee has not given me or made available to me any knowledge which conceivably could make this inquiry and this question pertinent with that degree of explicitness and clarity required by the due process clause.

The power of this committee is not unlimited. It has no general authority to expose the private affairs of individuals simply for the sake of exposure. This investigation is unrelated to any legislative purpose. It is beyond the power conferred upon the Congress under the Constitution.

The committee has not made clear with undisputable clarity the subject matter of this inquiry. It is the duty of the committee upon my objection on the ground of pertinency to state for the record the subject under inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful and must describe what the topic under inquiry is, and the connective reasoning of why the question now asked relates to it.

The CHAIRMAN. Mrs. Henrickson—

Mr. MARSHALL. Mr. Chairman, would you wait just a moment? I think there might be more to the answer.

The CHAIRMAN. You just go on and read all that material that your lawyer has given you and then be ready to answer the question.

Mrs. HENRICKSON. I did not quite understand.

Mr. MARSHALL. May the reporter read what you said?

The CHAIRMAN. When you are ready to answer the question, let me know, will you, please? I will wait here.

Mr. MARSHALL. The witness has completed her answer.

The CHAIRMAN. You haven't been asked any question except as to your identity. This question was asked for the purpose of making it abundantly clear in the record who it is that we are about to interrogate. So I direct you to answer the question as to your maiden name.

Mr. MARSHALL. Will it be agreed, Mr. Chairman, that if the witness declines to answer any further questions, including the pending one, she will be deemed to have declined upon all of the grounds she has just stated?

The CHAIRMAN. Yes. Let the record show that in the event the witness declines to answer any questions, the reasons are the ones she read from the paper before her when she was first asked the question.

Mr. MOULDER. She was directed by the Chair to answer the question.

Mr. TAVENNER. Yes.

(The witness confers with her counsel.)

Mr. MOULDER. Counsel asked her what her maiden name was. She has not responded to that question.

Mrs. HENRICKSON. I am the person who has been subpoenaed and I think this has established my identity. I will refuse to answer this question further on the grounds that I have already stated.

Mr. TAVENNER. The witness has placed another condition to her refusal to answer, so I think the record ought to show another clear direction for her to answer.

The CHAIRMAN. Yes. She was directed, and she just declined to answer. What was her maiden name, Mr. Tavenner?

Mr. TAVENNER. I would like to find out from her if her maiden name was Ellie Gutman, who was born on February 26, 1922, in Munich, Germany.

Mr. MARSHALL. Is that a question?

Mr. TAVENNER. Yes, sir.

(The witness conferred with her counsel.)

Mrs. HENRICKSON. I am declining to answer this question on the grounds I have previously stated.

Mr. MOULDER. May I ask just one question?

In your reasons for not answering that question you referred to provisions of the Constitution which you claim the protection of, innocent persons, and you referred to yourself as being an innocent person. In your reasons for claiming the protection of the fifth amendment, as I recall, you stated that the answer to the question may tend to incriminate or subject you to criminal prosecution. How can you be consistent in claiming on the one hand that the statement which you have read, the reasons stated for the protection of yourself as an innocent person, and at the same time claim the provision of the fifth amendment?

Mrs. HENRICKSON. I would simply—

(The witness confers with her counsel.)

Mrs. HENRICKSON. As far as I know, I think this is a question of record, there have been times when innocent people have been subject to prosecution, so I would not answer the question.

Further, I will not answer the question based on the grounds that I have previously stated.

Mr. MOULDER. When did you come to this country from Munich, Germany?

Mrs. HENRICKSON. I decline to answer this question on the grounds I previously stated.

Mr. MOULDER. Are you a naturalized citizen?

Mrs. HENRICKSON. I am.

Mr. MOULDER. And where were you naturalized or admitted as a citizen?

(The witness confers with her counsel.)

Mrs. HENRICKSON. I decline to answer this question based on the reasons I have previously stated.

Mr. TAVENNER. Are you the same person as Ellie Gutman who was naturalized in San Francisco, Calif., by decree of the court on June 5, 1944?

Mrs. HENRICKSON. I decline to answer this question based on the reasons I have previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on June 5, 1944?

Mrs. HENRICKSON. I decline to answer this question based on the reasons I have previously stated.

Mr. MOULDER. May I specifically ask you, in those reasons that you have stated, you claimed the protection under the fifth amendment of the Constitution?

Mrs. HENRICKSON. I claim the protection of all the grounds I have previously stated.

Mr. MOULDER. Including the fifth amendment?

Mrs. HENRICKSON. Including the fifth amendment, all the grounds.

Mr. MOULDER. Do you fear that if you answer that question truthfully it may tend to incriminate you or subject you to prosecution?

Mr. MARSHALL. A word or two was blotted out. May I have the reporter repeat it?

Mr. MOULDER. I asked if she truthfully answered the question, does she fear that the answer might supply evidence or information which might subject her to criminal prosecution.

(The witness confers with her counsel.)

Mrs. HENRICKSON. I decline to answer based on the grounds I have previously stated.

Mr. MOULDER. I believe, Mr. Chairman, that she is certainly compelled to use good faith in claiming the provisions in refusing to answer the question and has to show good faith in so doing, and that is not evidence of good faith by declining to answer the question as to whether or not she is in good faith claiming the provisions of the Constitution in refusing to answer the question.

Mr. MARSHALL. Is there a question pending or was that just an observation of the gentleman?

Mr. MOULDER. It was my observation, and I request the chairman to direct the witness to answer that question which I have asked her.

(The witness confers with her counsel.)

The CHAIRMAN. You are directed to answer the question.

Mrs. HENRICKSON. In good faith I decline to answer based on my rights under the Constitution as previously stated.

Mr. MOULDER. You have not stated whether or not you actually fear prosecution if you truthfully answer the question.

Mrs. HENRICKSON. I am basing myself on all the rights that are guaranteed me under the Constitution.

The CHAIRMAN. Mrs. Henrickson, when did you come to the United States?

Mrs. HENRICKSON. I am sorry. I did not hear the question.

The CHAIRMAN. When did you come to the United States?

Mrs. HENRICKSON. This is the same question, and I decline to answer.

The CHAIRMAN. No, it is not the same question.

Mr. MARSHALL. Was the question withdrawn?

The CHAIRMAN. I will withdraw it.

Mr. MARSHALL. The question is withdrawn.

Mr. TAVENNER. Is your present address 5068 West 20th Street, Los Angeles?

Mrs. HENRICKSON. I will answer this by saying that I live at the address that is mentioned in my subpoena. I will decline to answer this question on my constitutional rights as previously stated.

Mr. TAVENNER. Is your husband's name Stanley William Henrickson?

Mrs. HENRICKSON. When I mentioned my grounds, I pointed out that this was an unlawful infringement on my personal rights. I will not involve any other person in this, and I will further decline to answer this question based on my constitutional rights as previously stated.

Mr. TAVENNER. Did you live at Everett in the State of Washington prior to your coming to California?

Mrs. HENRICKSON. I am declining to answer this question based on my rights under the Constitution as previously stated.

Mr. TAVENNER. In the course of hearings in Seattle, Wash., in June of 1954, Barbara Hartle, second in command in the Communist Party in the State of Washington, testified freely before this committee after she had been convicted and sentenced in the Smith Act case from that area. In the course of her testimony she was asked this question:

Will you proceed now to give us the names of persons whom you recall, from your personal knowledge, who were members of the Communist Party in other regions and in other section organizations of the Communist Party in the State of Washington?

In the course of her answer, she stated this:

Elsie Henderson, wife of Stan Henderson, whom I knew as a member and officer of the Everett Section of the Communist Party.

Was Barbara Hartle correct in identifying you as a member of the Communist Party of Everett, Wash.?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as previously stated. In addition, I want to repeat the question of lack of pertinency since this is a question of Los Angeles.

The CHAIRMAN. Mr. Tavenner, I am confused about the names. Is it Henderson or Henrickson?

Mr. TAVENNER. The spelling of her name as she gave it was Henrickson.

Mr. MARSHALL. How does the reporter have it?

Mr. TAVENNER. That is certainly more than a delaying action.

The CHAIRMAN. How do you spell your name?

Mrs. HENRICKSON. H-e-n-r-i-c-k-s-o-n.

Mr. TAVENNER. But the spelling as given by Mrs. Hartle or as it is in the record is H-e-n-d-e-r-s-o-n.

The CHAIRMAN. Let's get that clarified. Do you know this woman, Barbara Hartle?

Mrs. HENRICKSON. I decline to answer this question under my constitutional rights as previously stated.

Mr. TAVENNER. Mr. Chairman, to clarify the matter of spelling, I notice at the bottom of page 6180 of the committee's record there is a note referring to Stan Henderson as follows:

Identified on page 6149 as same individual as Stanley William Hendrickson,

The CHAIRMAN. How is that spelled?

Mr. TAVENNER. H-e-n-d-r-i-c-k-s-o-n.

The CHAIRMAN. You have no "d" in your name?

Mrs. HENRICKSON. No, I don't.

The CHAIRMAN. Are these the same individuals?

Mr. TAVENNER. That is what I am trying to find out. I think there is enough in this record to clarify it. I will go a little further with it.

On page 6149 of the record of the committee this question was asked by Mr. Kunzig:

Are there any others, please?

Mrs. HARTLE. Stan Henrickson, I believe it is.

Mr. KUNZIG. H-e-n-r-i-c-k-s-o-n?

Mrs. HARTLE. Yes, that is correct. In my communication with him formerly I had used the name Henderson and had never been corrected by him, but I have reason to believe that his name is Henrickson now.

That is why I asked this witness whether or not she was the wife of Stanley William Henrickson.

The CHAIRMAN. All right.

Mr. TAVENNER. Which she refused to answer. Did you live in Everett, Wash.?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as previously stated.

Mr. TAVENNER. What is your husband's name?

Mrs. HENRICKSON. It is the same question, and I am giving the same answer.

Mr. MOULDER. May I inquire, Mr. Chairman?

Are you married now?

Mrs. HENRICKSON. I decline to answer this question based on my constitutional rights as I have previously stated them.

Mr. TAVENNER. Are you a member of the Zapata Section of the Communist Party in Los Angeles?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as previously stated.

Mr. TAVENNER. I do not believe I have asked you your occupation. What is your occupation?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution.

Mr. TAVENNER. Aren't you a social worker?

Mrs. HENRICKSON. This is the same question, and I decline to answer it based on the grounds I have previously stated.

Mr. TAVENNER. Aren't you employed at the Council of Jewish Women, 615 South Manhattan Place, Los Angeles, under the name of Ellie Goodman?

Mrs. HENRICKSON. I am the person who was subpoenaed on my job. I refuse to answer the question any further based on my rights under the Constitution as previously stated.

Mr. TAVENNER. When you were subpoenaed on your job, were you using the name of Ellie Goodman?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as I have previously stated.

Mr. TAVENNER. What reason do you have for concealing your true name?

(The witness confers with her counsel.)

Mrs. HENRICKSON. I decline to answer this question based upon my rights under the Constitution as previously stated.

Mr. TAVENNER. The committee's investigation reflects that you were a delegate to the convention of the Southern California District of the Communist Party held in Los Angeles on April 13 and 14, 1957. Is this information correct?

Mrs. HENRICKSON. This is the same kind of a question you have asked before. It invades my rights under the Constitution, and I decline to answer it based on the grounds I have previously stated.

Mr. TAVENNER. Is it not a fact you came to Los Angeles to make it the place of your permanent residence sometime during the year 1955?

Mrs. HENRICKSON. I decline to answer this question based upon my rights under the Constitution as previously stated.

Mr. TAVENNER. Are you a member of the Communist Party at this time?

Mrs. HENRICKSON. I decline to answer this question based upon my rights under the Constitution as I have previously stated them.

Mr. TAVENNER. Do you know whether a person by the name of Stanley William Henrickson, the same spelling as you gave for your name, was called as a witness on June 17, 1964, in Seattle, Wash.? That is, as a witness before this committee?

Mrs. HENRICKSON. Mr. Chairman, all these questions violate my right to free speech and to association as guaranteed to me under the Constitution. I decline to answer this question based upon my rights, my constitutional rights as previously stated.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Mr. Chairman, may I ask the witness a question?

I want to ask the witness if you care or if you wish to make any clarification of any answer or responses to questions which you have given.

Mrs. HENRICKSON. Mr. Chairman; would you explain what you mean by this question? I am really not clear about it.

Mr. MOULDER. There seems to be some confusion about your name or whether or not you were going under any name other than the name under which you were subpoenaed. I wondered whether or not you have any statement you wish to make to clarify or explain.

Mrs. HENRICKSON. I will let the record speak for itself.

The CHAIRMAN. All right.

Mr. MARSHALL. Mr. Chairman.

The CHAIRMAN. Do you have another witness?

Mr. MARSHALL. Yes. Mukes.

This witness objects to her name being given to the press.

Mr. TAVENNER. May I suggest, inasmuch as I am going to call his three witnesses successively, that he make those announcements at the end of all of them rather than taking up all the time that is being taken up with stating the same thing separately three times?

The CHAIRMAN. As far as we can control it, Mr. Marshall, we will do that.

Mr. MARSHALL. The previous witness was Mrs. Bertha Marshall.

The CHAIRMAN. What is the name of this witness?

Mr. MARSHALL. As stated in the subpoena.

Mrs. HENRICKSON. Any name.

Mr. MARSHALL. In other words, we object to any name being used for this witness appearing before the committee, and we object to any statement being made as to the nature of her answers here.

Mr. TAVENNER. Do you desire to make the same statement regarding your next witness? I have agreed to call next Fay Mukes.

Mr. MARSHALL. Yes; we do, Mr. Tavenner.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MUKES. I do.

TESTIMONY OF FAY KOVNER MUKES, ACCOMPANIED BY COUNSEL, DAN MARSHALL

Mr. TAVENNER. Will you state your name, please?

Mrs. MUKES. Fay Kovner Mukes.

Mr. TAVENNER. Miss or Mrs.?

Mrs. MUKES. I refuse to answer on the grounds of the 1st, 4th, 5th, 6th, 9th, 10th amendments of the Bill of Rights and the lack of pertinency. This question lacks pertinency. This committee has not given me or made available to me any knowledge which conceivably makes this inquiry pertinent with that degree of explicitness and clarity required by the due process clause.

The power of this committee is not unlimited. It has no general authority to expose the private affairs of individuals simply for the sake of exposure. This investigation is unrelated to any legislative purpose, being beyond the power conferred upon the Congress by the Constitution. This committee has not made it appear with undisputable clarity the subject matter of this inquiry. It is the duty of the committee upon my present objection on the grounds of pertinency to state the subject matter under inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful and must describe what the topic of the inquiry is and whereby the question now asked relates to it.

Mr. MARSHALL. Will it be stipulated, Mr. Chairman, that if the witness declines to answer any further questions she will be deemed to have declined to so answer upon each, all, and every of the grounds that she has now stated?

The CHAIRMAN. It will be understood that the reasons for not answering the questions are those that she read from a piece of paper when she was asked whether or not she was married. Proceed.

Mr. TAVENNER. Are you not a sister of Julius Kovner, who has testified here earlier today?

Mrs. MUKES. I refuse on the grounds previously stated.

Mr. TAVENNER. Were you born on April 10, 1924, in New York City?

Mrs. MUKES. I decline to answer on the grounds stated.

Mr. TAVENNER. Your occupation is that of a legal secretary; is it not?

Mrs. MUKES. I decline to answer on the same grounds as previously given.

Mr. TAVENNER. Your address is 2001 South Curson, Los Angeles? Isn't that correct?

Mrs. MUKES. I decline on the same reasons previously given.

Mr. MOULDER. Mr. Chairman, I want to ask the witness this question: Would you answer any question propounded to you by counsel?

(The witness confers with her counsel.)

Mr. MOULDER. That is a question I am asking you.

(The witness confers with her counsel.)

Mrs. MUKES. I would answer all proper questions, but I would decline on any improper questions.

Mr. MOULDER. I am trying to think of some question that you will answer. As I recall, Mr. Tavenner asked you your name. Have you given your name?

Mrs. MUKES. Yes.

Mr. MOULDER. What was it?

Mrs. MUKES. Fay Kovner Mukes.

Mr. MOULDER. Then he asked you if it was Miss or Mrs. I still don't understand your name.

Mrs. MUKES. Fay. My first name is Fay.

Mr. MOULDER. And the last name?

Mrs. MUKES. Kovner Mukes.

Mr. MOULDER. How do you spell that?

Mrs. MUKES. K-o-v-n-e-r M-u-k-e-s. They are two separate names.

Mr. MOULDER. Kovner Mukes.

Mrs. MUKES. Right.

Mr. MOULDER. I ask you, is it Miss or Mrs. Fay Kovner Mukes?

Mrs. MUKES. I decline to answer on the grounds that I previously mentioned.

Mr. TAVENNER. Were you a member of the Communist Party in November 1952?

Mrs. MUKES. I refuse to answer on the same ground previously cited.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an article appearing in the November 27, 1952, issue of Los Angeles Herald-Express. The caption of the article is, "State Probe Here Bares Red Plot to Control L.A. Housing. Solons Reveal Proof of Red Housing Plot." I ask that it be marked "Mukes Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

(Document marked "Mukes Exhibit No. 1." and retained in committee files.)

Mr. TAVENNER. In the last paragraph of the article the following statement is made:

A former employe, Fay Kovner, a CHA clerk under Green until 1950, was described by the committee as an unfriendly witness. She refused to answer nearly every question put to her, including one as to whether her brother's name was Julius.

Will you examine the last paragraph and state whether or not you are the Fay Kovner referred to?

Mrs. MUKES. I decline to answer on the same grounds I previously stated.

Mr. TAVENNER. Were you a clerk in the City Housing Administration in or prior to 1952?

Mrs. MUKES. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Were you a delegate to the Los Angeles County convention of the Communist Party on January 5 and 6, 1957?

Mrs. MUKES. I refuse to answer on the grounds previously cited.

Mr. TAVENNER. The committee has information that you were a delegate to the Southern California District convention of the Communist Party held on April 13 and 14, 1957. Is this correct?

Mrs. MUKES. I refuse to answer on the same grounds previously cited.

Mr. TAVENNER. Were you a delegate to that convention?

Mrs. MUKES. I refuse on the same grounds.

Mr. TAVENNER. Has any convention been held of the Southern California District of the Communist Party since April 13, 1957, to your knowledge?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. In the report made by Dorothy Healey, at the convention of April 13 and 14, 1957, great stress was laid by her upon the work of Communist Party members in mass organizations. Did you, after that date, engage in any Communist Party work in mass organizations at the direction of the Communist Party?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Hadn't you been engaged in work of that character prior to that date?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Weren't you a member of the Civil Rights Congress here in Los Angeles and took active part in the work of that organization?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Weren't you appointed on September 8, 1955, as chairman of the Echo Park Branch of the Civil Rights Congress?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you participate at the instance of any Communist Party unit or functionary in the work of the Labor Youth League?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not hold membership in the Labor Youth League?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Our information is that you were not in attendance at a meeting on July 27, 1958, of the District Council of the Commu-

nist Party here in Los Angeles, but were you officially informed in your section of the Communist Party as to what transpired at that meeting?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party on July 27, 1958?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Are you a citizen of the United States?

(The witness confers with her counsel.)

Mrs. MUKES. I decline on the same basis, same grounds as previously stated.

Mr. MOULDER. Are you a member of any organization which advocates the overthrow of our Government by force and violence?

Mrs. MUKES. I decline on the same grounds.

Mr. MOULDER. Do you have any knowledge or information concerning the activities of any person advocating the overthrow of our Government by force and violence?

Mrs. MUKES. I decline on the same grounds.

Mr. TAVENNER. Was the place of your birth New York City?

Mrs. MUKES. I decline on the same grounds.

Mr. TAVENNER. When did you first come to California?

Mrs. MUKES. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LUSHER. I do.

TESTIMONY OF ROSEMARY LUSHER, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mrs. LUSHER. Rosemary Lusher.

Mr. TAVENNER. Do you have a middle name?

Mrs. LUSHER. No.

Mr. TAVENNER. Is not a part of your name Rosemary Haskell Lusher?

Mrs. LUSHER. Well, I think that I will have to refuse to answer that.

Mr. TAVENNER. You have to refuse to tell your name?

Mrs. LUSHER. I believe I told you my name.

Mr. TAVENNER. Miss or Mrs.?

Mrs. LUSHER. Mrs.

Mr. MOULDER. May I ask, Mr. Chairman, if she would state her full name.

Mr. TAVENNER. Yes.

Mrs. LUSHER. I did state my name.

Mr. TAVENNER. But you did not state your full name, as the Congressman indicated.

Mrs. LUSHER. That is my full name, Rosemary Lusher.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. Surely. My name is John T. McTernan, of the firm of Margolis, McTernan and Branton, 112 West 9th Street, Los Angeles 15, Calif.

Mr. TAVENNER. Is your husband's name Bernard Lusher?

(The witness confers with her counsel.)

Mrs. LUSHER. I am sorry. Would you ask me the question again?

Mr. TAVENNER. Is your husband's name Bernard Lusher?

Mrs. LUSHER. Yes, it is.

Mr. TAVENNER. What was your maiden name?

Mrs. LUSHER. Well, Counsel, I am sorry. How do I address you?

Mr. TAVENNER. You need not address me at all if you don't like. Just answer the question.

The CHAIRMAN. Mr. Tavenner.

Mrs. LUSHER. You are Mr. Tavenner. I am quite willing to call you Mr. Tavenner. I would like to know what the point of your line of questioning is because I don't really see the pertinency at this moment.

Mr. TAVENNER. At this moment it is to properly identify you.

Mrs. LUSHER. I believe that the name Rosemary Lusher will properly identify me.

Mr. TAVENNER. Are you the same person as Rosemary Wylde?

Mrs. LUSHER. Well, Counsel, you know, I would again like to know what the pertinency of the question is.

Mr. TAVENNER. May I have the direction that the witness answer?

The CHAIRMAN. You are directed to answer the question. We are trying to identify you so there will be no question about who you are for the record.

Mrs. LUSHER. I believe that my name does identify me sufficiently. Since you have directed me to answer the question, then I feel that perhaps at this point I should indicate to you why I cannot answer this particular question.

I have given a lot of thought to this problem since I received the subpoena a month ago, and I really don't know whether to try to say what I am going to say to you or not, because it is really kind of a question of trying to communicate between people, and I don't know if you want to understand what I am trying to say. I don't even know if you really fully understand what you do to people when you issue these subpoenas to them and bring them in like this.

Mr. TAVENNER. This is not responsive to the question at all.

Mrs. LUSHER. The torture you put them through. I want to be responsive to the question and I am explaining why I can't answer this question to you.

You see, I feel that when you bring people in like this, against their will, in effect you are trying to compel us, you are trying to compel me to deny my own right as a free American citizen to be a free American citizen, and the only way you can deny it is if you don't understand me, if you don't try to understand what I believe and what I say. If I have done anything wrong, then I believe you know that I should be tried in a court.

Congressman Doyle, who is on this committee, has said that when you are called before this committee you are thereby convicted. I

believe that this is not right. When you do this to me and to these other people, you can only do it if you deny—

The CHAIRMAN. No one is being convicted of anything. You are not charged with anything. We are making an inquiry for reasons that are perfectly apparent. You have been asked a very simple question. I direct you to answer the question.

Mrs. LUSHER. What are the reasons that are so apparent to you, that are not apparent to me?

The CHAIRMAN. We are endeavoring to draft legislation that is designed to protect the unwary from enlisting in causes either Communist-inspired or Communist-dominated, and there are a great many well-meaning people who become connected with organizations having lofty-sounding purposes which are actually nothing but Communist fronts.

In order to preserve this form of government that they appear to be so deeply interested in, we feel it is necessary to legislate in order to protect people not as intelligent as you obviously are. So now we are asking you some preliminary questions so we know who you are.

You are not charged with anything. No one is going to be charged with anything.

Mr. TAVENNER. I might say, Mr. Chairman, I am confident that the witness has misinterpreted any statement Mr. Doyle may have made on that subject.

The CHAIRMAN. Of course. Go ahead and ask the question. What was the question, Mr. Tavenner?

Mr. TAVENNER. Would you read the question, please?

Mrs. LUSHER. As I say, I feel that I have to refuse to answer this question, first of all, on what I believe deeply is an important ethical and moral ground.

The CHAIRMAN. What question are you not answering?

Mrs. LUSHER. Well, I believe he wanted to know—what did you want to know? You want to know if the name I was born with was Wylde?

The CHAIRMAN. Now you are declining to answer a question. What question are you declining?

Mrs. LUSHER. This is the question, isn't it?

The CHAIRMAN. What is it?

Mrs. LUSHER. Maybe counsel would repeat it so I don't say it incorrectly.

The CHAIRMAN. You are declining to answer something. What are you declining to answer?

(The witness confers with her counsel.)

Mrs. LUSHER. Well, I shall have to refuse. The question, as my counsel informs me, was whether I was known as Rosemary Wylde, and as I said, I am going to have to refuse to answer on this, what I consider this ethical and moral ground, that this committee, by bringing people in against their will is denying our basic human rights and is treating us as something less, as subhuman, in such a way that we have to, if we want to maintain our own belief in the dignity of the individual, we have to decline to cooperate.

Of course, beyond those grounds, I have to also decline to answer on the grounds of the first amendment of the Bill of Rights, which forbids the committee to abridge my freedom of speech and press, my

political beliefs and associations and assembly and inquiry; on the grounds of the fourth amendment of the Bill of Rights, which makes me secure in my home and free from unreasonable search and seizure; on the grounds of the fifth amendment of the Bill of Rights, which prevents this committee from attempting to compel me to be a witness against myself, and attempts to deprive me of my liberty and property and the right to earn a livelihood without due process of law. This is an amendment which protects the innocent, and of course, as you have said, I am not charged with anything, and I therefore assume that you know, as I know, that I am innocent. And by the use of the fifth amendment I am not admitting to any guilt of any kind.

The CHAIRMAN. Why did you make that statement?

Mrs. LUSHER. Because I was very—

(The witness confers with her counsel.)

Mrs. LUSHER. I will continue with my grounds.

On the ground of the sixth amendment of the Bill of Rights, which provides that you should confront me, if you wish to, with any persons with whom you are accusing me of any wrongdoing.

And the ninth amendment of the Bill of Rights, which forbids the denying of any of the rights retained by the people, such as the rights that are guaranteed in the first, the fourth, the fifth, and the sixth amendments. And the 10th amendment of the Bill of Rights, which forbids this committee from proceeding in to inquire, from dealing with any powers that are reserved to the people.

And, of course, on the ground which I had mentioned before, on the question of pertinency, since I really cannot see that the inquiry that you are conducting with me has genuine pertinency which would lead to legislation such as you have indicated, since I believe that the recent ruling of the Supreme Court has held that legislation which has been passed in the area which you have defined was not valid.

So that I believe that—I find it hard to believe that this investigation can be conducted for the purposes of genuine legislation which will not be legislation which will be unconstitutional.

The CHAIRMAN. Ask another question.

Mr. TAVENNER. Yes, sir. Were you born in Vermilion, Alberta, Canada?

(The witness confers with her counsel.)

Mrs. LUSHER. I am sorry, Mr. Tavenner, but I am afraid that I shall have to refuse to answer this question on all the grounds previously stated.

Mr. TAVENNER. May I have a direction that the witness answer?

The CHAIRMAN. You are directed to answer that question. It is merely for identification.

Mrs. LUSHER. I am afraid that I shall have to decline on all the grounds.

Mr. TAVENNER. Do you decline?

Mrs. LUSHER. On all the grounds that I have previously stated.

The CHAIRMAN. All right, proceed.

Mr. TAVENNER. Are you a naturalized American citizen?

Mrs. LUSHER. I am sorry, Mr. Tavenner, I shall have to refuse that question on all the grounds that I have previously stated.

Mr. TAVENNER. Were you not naturalized as a citizen of the United States in Los Angeles on November 8, 1946?

Mrs. LUSHER. I am sorry, Mr. Tavenner, but I shall have to refuse to answer that question on all the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on November 8, 1946?

Mrs. LUSHER. I am sorry, Mr. Tavenner, I shall have to refuse to answer that question on all the grounds that I have previously stated.

Mr. TAVENNER. Is your present address 3115 Minnesota Street, Los Angeles, Calif.

Mrs. LUSHER. Well, I have no objection, since my subpoena was served there, why, I am sure you know it.

Mr. TAVENNER. Thank you for answering that question.

How long have you lived in Los Angeles?

Mrs. LUSHER. Well, Mr. Tavenner, I don't see the pertinency of this question, and I shall have to refuse to answer it on all the grounds that I have previously stated.

Mr. TAVENNER. Is your present occupation that of executive director of the American Russian Institute in Los Angeles?

Mrs. LUSHER. I am sorry, Mr. Tavenner, but I shall have to decline to answer that on the grounds previously stated—on all the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an announcement entitled, "Open House at the American Russian Institute, Monday, April 4, 1955, 1024 1/4 North Western Avenue, Los Angeles," stating:

Honor the retiring Executive Secretary, Reva Mucha. Welcome the new Executive Secretary, Rosemary Haskell.

I ask that it be marked "Lusher Exhibit No. 1."

The CHAIRMAN. Is there any connection?

Mr. WHEELER. That is her previous married name.

Mr. TAVENNER. Is it admitted?

The CHAIRMAN. Yes.

(Document marked "Lusher Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine the document, please, and state whether or not you are the person mentioned as the new executive secretary of that organization?

(The witness confers with her counsel.)

Mr. TAVENNER. May I inquire of counsel, Do you wish to have a longer period of time to confer with the witness?

Mr. McTERNAN. Thank you, Mr. Counsel; I think we have just about concluded.

(The witness confers with her counsel.)

Mr. McTERNAN. Are you thinking of taking a luncheon recess at this time?

The CHAIRMAN. Have you any more questions, Mr. Tavenner?

Mr. TAVENNER. Yes, sir; I have.

Mr. McTERNAN. There is a question pending.

The CHAIRMAN. Yes. Are you going to answer that question?

Mr. McTERNAN. We were discussing it.

Mrs. LUSHER. Did you say that you wanted to take a luncheon recess?

Mr. TAVENNER. No. I asked you a question. Would you please answer it?

Mrs. LUSHER. Would you repeat the question?

Mr. TAVENNER. Read her the question.

(The question was read.)

Mrs. LUSHER. Mr. Tavenner, could I ask you what your line of questioning intends to be?

Mr. TAVENNER. I am going to ask you regarding your knowledge of the Communist Party activities in the area of Los Angeles.

Mrs. LUSHER. Mr. Tavenner, of course, I have already declined to, or I will decline to, answer any such questions.

Mr. TAVENNER. Do you answer this question? I have asked this question. You have taken quite a considerable length of time. Will you please either answer it or refuse to answer.

Mrs. LUSHER. Mr. Tavenner, when you say I have taken a considerable length of time, I think you have to realize that I have taken considerable lengths of my time, too, and many other people, and you have to, I think, realize what you know the effect—

The CHAIRMAN. Answer the question, please.

Mr. TAVENNER. Just please answer the question.

Mrs. LUSHER. I am afraid I have to decline to answer the question on all the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on April 4, 1955?

Mrs. LUSHER. I am sorry, I have to decline to answer the question on all the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of a letter on the stationery of the American Russian Institute bearing date of April 28, 1958, and ask that it be marked "Lusher Exhibit No. 2."

The CHAIRMAN. Make it a part of the record.

(Document marked "Lusher Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. This letter indicates that it is over the signature of a person by the name of Rosemary Haskell, executive secretary. Will you examine the document, please, and state whether or not the signature there is your signature or that you signed the name "Rosemary Haskell"?

Mrs. LUSHER. I see that this letter is relating to—

Mr. TAVENNER. I asked the witness no question regarding the content of the letter. My question was whether or not she signed it.

Mrs. LUSHER. Have you read the letter?

The CHAIRMAN. Did you sign that letter?

Mrs. LUSHER. Well, I am afraid that I have to decline to answer that question, but in declining I would—

The CHAIRMAN. All right. You declined to answer the question. Ask another question.

Mrs. LUSHER. I would like to state my grounds first.

The CHAIRMAN. It is understood the grounds are those that you read from the piece of paper. You don't have to read it again.

Mrs. LUSHER. No, but I would like to add to my grounds that I have previously stated because I feel that this letter reflects the official State Department policy on cultural exchange between our country and the Soviet Union, a policy that I believe the State Department is proud of

and feels is going to help to prevent war and, we hope, lead to better understanding between America and the Soviet Union.

The CHAIRMAN. We understand all of those things, and we are very careful to see to it that our foreign policy is not adversely affected. The question is, Did you write the letter?

Mrs. LUSHER. If I may state my grounds—

The CHAIRMAN. Did you write it?

Mrs. LUSHER. May I state my grounds for refusing to answer?

The CHAIRMAN. Did you write it? And then you can state your grounds. Did you or didn't you write the letter?

Mrs. LUSHER. I would have to decline to state whether or not I wrote the letter or not, but I would like to state my grounds.

Mr. TAVENNER. Were you not the executive secretary of the American Russian Institute in Los Angeles in April 1958?

Mrs. LUSHER. Mr. Tavenner, I am going to have to decline to answer your question, and I would like to state my grounds for doing so. Would you like to see the letter?

The CHAIRMAN. Yes.

Mrs. LUSHER. My constitutional rights guarantee me, I believe, freedom of association, and any activities which I might engage in are activities of which I am proud, which I don't feel that you are genuinely inquiring into.

Certainly this letter, which is to encourage people to buy tickets to see the Moiseyev Dancers, who, as you may recall, took Los Angeles and the United States by storm, had a tremendous success.

The CHAIRMAN. I saw it myself in Washington.

Mrs. LUSHER. How did you like it?

The CHAIRMAN. That is immaterial. What difference does it make? You declined to answer for the reasons that you have given.

Mrs. LUSHER. I have to decline to answer for all the reasons that I have previously stated, but I feel that it is important that in looking at the content of this letter—

The CHAIRMAN. Do you want to come back this afternoon? I have a luncheon engagement.

Mrs. LUSHER. I would be very happy to, sir.

The CHAIRMAN. Do you have any more questions?

Mr. TAVENNER. Many.

The CHAIRMAN. We will recess until 2 o'clock this afternoon.

(Whereupon, at 12:15 p.m., the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, SEPTEMBER 4, 1958

(Members present at beginning of afternoon session were: Representatives Walter and Moulder.)

TESTIMONY OF ROSEMARY LUSHER—Resumed

Mr. TAVENNER. Mrs. Lusher, at the time of the noon recess we were discussing the letter on the stationery of the American Russian Institute dated April 28, 1958. The name signed to that letter is Rosemary Haskell. Were you known by the name of Rosemary Haskell by a former marriage?

Mrs. LUSHER. Well, Mr. Tavenner, and Congressmen, I gave some thought during the lunch hour to your question before lunch time and

of course the letter that you showed me which was supporting the sale of tickets for the Moiseyev Dancers was sent out by the Hollywood Bowl Association at their request. And of course I felt and feel that this program that was, is expressed in this letter is something that is very worthwhile and I hesitated before lunch to discuss my own association with the institute, with the American Russian Institute.

However, I have decided that I will do so because the earlier remarks that I made to you, you know, when I first came in this morning about the need for this committee to understand the witnesses that appear before them is something that I feel very strongly about. Now, maybe I am being naïve and perhaps nothing I say will reach you. Maybe you have such a stereotype in your own minds toward the people who come before you that it is of no concern to you—you know, the effect that these hearings have on people. But I personally feel very strongly about it and you know I feel that you have a moral responsibility for what you do as I have a moral responsibility for what the position is that I take; and I feel that you know the people who have come before this committee and who have lost their jobs as a result of it, those who have committed suicide as a result of the pressure of such hearings as this are your responsibility.

The CHAIRMAN. That is about enough of that. Whose moral responsibility were you talking about in the Malibu Station some time ago? Don't give me any lecture about any moral responsibilities.

Mrs. LUSHER. So I would like to discuss, if I felt that I would get an understanding hearing here, the program of the institute. But perhaps I wouldn't get an understanding hearing.

Mr. TAVENNER. I have asked no question about the program of the institute.

The CHAIRMAN. What was your question?

Mr. TAVENNER. My question was whether or not she has been known by the name of Rosemary Haskell as a result of a former marriage.

Mrs. LUSHER. Well, I am sorry, but I believe that I shall have to decline to answer that question on all the grounds that I have previously stated.

Mr. TAVENNER. You mentioned earlier in your testimony that you were glad to give us your present address. It is the address given on this letter of April 28, 1958, is it not; 3115 Minnesota Street?

(Witness confers with her counsel.)

(No response.)

Mr. TAVENNER. It is up at the top right-hand corner.

Mrs. LUSHER. Mr. Tavenner, you know I believe that the document speaks for itself.

Mr. TAVENNER. Isn't it a fact that on April 28, 1958, 3115 Minnesota Street, Los Angeles, Calif., as given on this letterhead, was the address of your residence?

(Witness confers with her counsel.)

Mrs. LUSHER. Well, that was my address and, as I said, as I stated, that I am prepared to talk about the program of the American Russian Institute and my association with it, not in terms of naming any of the people who work with me in the institute, but I did work as executive secretary of the American Russian Institute.

Mr. TAVENNER. That is the question you refused all morning to answer.

Mrs. LUSHER. For 10 minutes.

Mr. TAVENNER. I am glad you have changed your mind about it. You have operated the American Russian Institute as its executive secretary from your home over a considerable period of time; have you not?

Mrs. LUSHER. No; just since last summer. We had a library at 1024 1/2 North Western and when we were no longer able to keep it open, financially, we actually closed it down and stored the books. The program of the institute is, and always has been since I have been associated with it, a nonpolitical one and an organization that has been interested in the program which is now the official program of our State Department, the question of cultural exchange between our country and the Soviet Union.

Mr. TAVENNER. Were you a member of the Communist Party from the time that you were elected the executive secretary of the American Russian Institute up until April 28, 1958, the date of the letter that I referred you to.

Mrs. LUSHER. Mr. Tavenner, I must decline to answer that question on all the grounds that I have previously stated. I believe that the program of the American Russian Institute stands for itself, and since it is one, which in effect, our State Department has also endorsed, it is one which Chairman Allen of the University of California recommended to the Rotarian meeting last January or February when Mr. Hearst spoke on his trip to the Soviet Union. Dr. Allen stood up and said that he felt that in addition to the very fine program that the State Department was carrying on for cultural exchange he also felt that person-to-person contact and individual responsibility in this field was very important.

And I feel that this is what I have done in the institute while we have been operating. And I personally feel that it is genuinely in the welfare and interests of the people of this country and I would like to see many more people work in such a program, and I feel that to bring people in who try to do this, and threaten them, that the way that has been done with me doesn't help matters any.

Mr. TAVENNER. Have you also been active in the Civil Rights Congress of Southern California?

Mrs. LUSHER. Well, I should decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. I desire to offer in evidence a thermofax copy of a letter bearing date of October 8, 1954, on the stationery of The Defender, whereon it is stated that The Defender is the official organ of the Civil Rights Congress of Southern California. May it be marked "Lusher Exhibit No. 3"?

(Document marked "Lusher Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. I call your attention, Mrs. Lusher, to the signatures of three persons at the bottom of this letter which purport to be that of the editorial board. Will you examine it and state whether or not you see the name of Rosemary Lusher?

(Counsel confers with witness.)

Mrs. LUSHER. I believe the document speaks for itself.

Mr. TAVENNER. Did you sign the document?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. You will also see as the name of one of the editorial board members that of Elizabeth Spector. Will you examine it and look at it?

Mrs. LUSHER. Yes.

Mr. TAVENNER. Was she on the editorial board with you?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Is she the wife of Frank Spector?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. You will also, if you will look at the document, see the name of Don Wheeldin.

Mrs. LUSHER. Yes.

Mr. TAVENNER. Did he serve on the editorial board with you?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. On the date of that document, which is October 8, 1954, were Elizabeth Spector and Don Wheeldin members of the Communist Party with you?

(Counsel confers with witness.)

Mrs. LUSHER. Mr. Tavenner, of course, you know that is a loaded question, as you know very well, and—

Mr. TAVENNER. There is nothing loaded about the question. It is a direct question asking if you know that those people were members of the Communist Party.

Mrs. LUSHER. The latter phrase you used is certainly a loaded question. Naturally, I have to decline to answer it on all the grounds previously stated.

Mr. TAVENNER. Did you also take an active part in the financial support of the People's World, a Communist Party organ in Los Angeles?

(Counsel confers with the witness.)

Mrs. LUSHER. Well, I am afraid I don't quite understand your question, Mr. Tavenner.

Mr. TAVENNER. Very well. I offer in evidence a thermofax copy of a letter bearing date November 1956, signed by a number of persons, requesting financial support of the Daily People's World and ask that it be marked "Lusher Exhibit No. 4."

The CHAIRMAN. It will be marked and made a part of the record.

(Document marked "Lusher Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. Will you examine it, please, and state whether or not you see your name as one of those signed to the letter?

Mrs. LUSHER. I believe, Mr. Tavenner, that the document speaks for itself.

Mr. TAVENNER. I note on the document the name of Mrs. Rosemary Lusher. Did you sign the document?

Mrs. LUSHER. I must decline to answer that on all the grounds previously stated.

Mr. TAVENNER. At a convention of the Southern California District of the Communist Party held in Los Angeles on April 13 and 14, 1957, a report was made by Dorothy Healey which outlined the areas in which special work was to be done as determined by the National Committee of the Communist Party.

I know you were not present; at least from our information you were not present at that meeting. But I wanted to call to your attention that one of the prime objectives in this area as indicated by that report was calling upon the rank and file members of the Communist Party to concentrate upon infiltration and work in non-Communist organizations and in mass organizations.

Did that directive come to your attention after the date of that meeting?

Mrs. LUSHER. Mr. Tavenner, I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Weren't you engaged in that type of work for the Communist Party prior to that meeting?

Mrs. LUSHER. I am afraid I don't understand your question, Mr. Tavenner.

Mr. TAVENNER. Weren't you engaged in work for the Communist Party within various mass organizations over a considerable period of time before April 1957?

Mrs. LUSHER. Well, I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Was not one of the organizations that was organized to advance the Communist Party objectives in this area the Southern California Committee to Repeal the Smith Act and Other Anti-Labor Legislation?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Weren't you the secretary of that organization?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. I offer in evidence a thermofax copy of an article from the May 26, 1952, issue of People's World entitled, "300 LA unionists ask Truman veto of McCarran bill," and ask that it be marked "Lusher Exhibit No. 5."

The CHAIRMAN. Make it a part of the record.

(Document marked "Lusher Exhibit No. 5" and retained in committee files.)

Mr. TAVENNER. The paragraph which I desire to call to your attention reads as follows:

Opening remarks were made by Committee Secretary, Rosemary Lusher.

Will you examine it, please, and state whether or not you were the Rosemary Lusher referred to?

Mrs. LUSHER. Well, Mr. Tavenner, I would certainly support any action to veto the McCarran-Walter immigration law, and since it has become a law I would certainly take any action to repeal it because I do believe very sincerely that it is an undemocratic law.

Mr. TAVENNER. That isn't my question. My question is whether or not you were the secretary of that organization, whether you were correctly identified as such in that article.

Mrs. LUSHER. I am sure that in addition to the 300 trade unions referred to there were thousands of trade unionists and many other Americans who have come out in opposition to the McCarran-Walter law.

Mr. TAVENNER. Since you made that speech will you answer the question?

Mrs. LUSHER. I must decline to answer on all the grounds previously stated.

Mr. MOULDER. On that question, to what portion of the Walter-McCarran Act do you particularly object?

Mrs. LUSHER. Well, I think that the sections which restrict immigration, establish immigration quotas are not in the tradition our immigration had previously been in.

The CHAIRMAN. Previously been in—about three times as many people have come in last year under the newer law as under the old law. And the quotas are exactly the same. Quite obviously you are merely mouthing things said by the people opposed to the law.

Mrs. LUSHER. I do object to a law which deports people for their political beliefs.

The CHAIRMAN. Yes; that is correct, of course. Proceed.

Mrs. LUSHER. Whether they are Communists or not, and this, of course, is always a moot question in this kind of deportation hearings.

Mr. TAVENNER. Did you attend the Fifth Annual Conference of the Los Angeles Committee for Protection of Foreign Born at the Alexandria Hotel in Los Angeles on March 19, 1955?

Mrs. LUSHER. Well, I would like to know what the pertinency of this line of questioning is, Mr. Tavenner, if you don't mind telling me.

Mr. TAVENNER. I have asked you the question whether or not you were engaged in activity within different mass organizations and other groups for the Communist Party.

The question that I am asking you here is whether or not you engaged in this activity, and I want to follow it with the request for you to tell us to what extent you were acting for and in behalf of the Communist Party, if you were working in that organization.

(Witness confers with her counsel.)

Mrs. LUSHER. Well, Mr. Tavenner, I am not trying to be recalcitrant. I think I want to understand you and the members of the committee. I sincerely do. I may not convey the fact very easily, but I feel it very strongly, and I just cannot understand how this line of questioning that you are putting to me is pertinent to what you as members of the committee are attempting to do. You know President Roosevelt—

Mr. MOULDER. May I interrupt by asking you what is your understanding of what the members of the committee are attempting to achieve or do?

Mrs. LUSHER. Excuse me.

(Witness confers with her counsel.)

Mrs. LUSHER. I do find you know in the Watkins decision—

Mr. MOULDER. You made some reference to it. May I interrupt you?

Mrs. LUSHER. Of course.

Mr. MOULDER. Seemingly, having reached the conclusion or an assumption as to what you think the committee is attempting to achieve or do.

Mrs. LUSHER. Yes.

Mr. MOULDER. I am asking you just what is your understanding in that respect.

Mrs. LUSHER. Well, of course, I really don't know everything about the committee, naturally, but I understood that Congress authorized the committee on a very broad basis and that the Supreme Court said

in the Watkins case that it was very hard to determine exactly what the committee was trying to do because it was so generalized. To attempt—I understand what the committee is supposed to do is to investigate so that it can pass legislation which will be desirable, you know, for the country. And this is where I feel that legislation which goes into the area of association and what people believe even if we don't agree with what the people believe can be dangerous legislation not only for the people who may have opinions which are dissident, but, you know, for everyone in the country, because it creates an atmosphere that is a very fearful one.

You know, when the early Christians were brought up before the Romans they believed in something which wasn't acceptable to society in those days.

Mr. MOULDER. I am sorry to interrupt you again, but do I understand you to say that it is your understanding that the purposes and objectives of the committee are to seek information so that we might be better informed in passing legislation or in reporting legislation for Congress to pass?

Mrs. LUSHER. Yes.

Mr. MOULDER. And that being so, in response to the question by Mr. Tavenner, our counsel, you challenged the question because you say it wasn't pertinent?

Mrs. LUSHER. Well, yes.

Mr. MOULDER. I do not understand your reasoning that—

Mrs. LUSHER. My feeling on it is that in the past—I cannot judge the committee entirely by what it does today, but, you know, by the whole past 20 years the committee has been in existence, that inquiry into this field, beliefs and associations, has not led to legislation which has been either good for our country or has been constitutional.

The CHAIRMAN. Many statutes have been enacted as a result of recommendations from this committee.

Mr. TAVENNER. Those that have been enacted into law are, I believe, about 38. Legislation has been offered and has been under consideration in the last Congress which has not been acted upon or about the same number.

The CHAIRMAN. Plus literally hundreds of administrative orders.

Mr. TAVENNER. Yes, many of the committee's recommendations have been adopted and put into the form of administrative orders in various agencies. I have in mind right now quite a number of them.

Mr. MOULDER. What was your last question, Mr. Tavenner?

Mr. TAVENNER. My question was whether or not this witness attended on March 19, 1955, the Fifth Annual Conference of the Los Angeles Committee for Protection of Foreign Born. She has not yet answered the question.

Mrs. LUSHER. Well, you see, this kind of a question in relation to what you asked me deals with the question of association, and it is my belief that—

Mr. MOULDER. He is asking you did you attend it and probably he will follow that by other questions concerning what knowledge you may have gained or obtained there which might deal directly with the question of legislation.

Mrs. LUSHER. Legislation which would accomplish what?

The CHAIRMAN. Make people aware of activities that are not in the best interests of the United States, make people aware that the peace organizations they joined were not interested in peace but merely in Russian domination, et cetera. That is the purpose of the question.

(Witness confers with her counsel.)

Mrs. LUSHER. Well, you see when you say "Were you there," and then in effect this kind of a question is really exposure of a person's activities just for the sake of exposure.

The CHAIRMAN. Not at all. We have another purpose in mind. Did you attend this meeting? I am not asking you about anyone else.

Mrs. LUSHER. You see the Supreme Court in the Watkins decision does say that exposure for the sake of exposure is wrong.

The CHAIRMAN. That is not what we are concerned with. We are not engaged in anything of the sort. Furthermore the Supreme Court didn't understand the question, and furthermore, I am not so sure they wanted to. You are entirely in error. Proceed.

Mr. TAVENNER. May I have a direction that the witness answer the question?

The CHAIRMAN. You are directed to answer the question.

Mrs. LUSHER. I am really sorry, I must decline to answer the question on the ground previously stated.

The CHAIRMAN. I am really sorry, too.

Mr. TAVENNER. Are you familiar with the California Peace Crusade?

Mrs. LUSHER. Mr. Tavenner, I think that this is the same kind of a question. I don't like to constantly repeat it.

Mr. TAVENNER. And the purpose of it is identically the same, to try to determine the extent to which the Communist Party is endeavoring to carry on activities of this kind and what its objectives are. Will you answer the question?

Mrs. LUSHER. But I do not really believe that the exposure of a person's activities in this fashion is right or constitutional and I must decline to answer on all the ground previously stated.

The CHAIRMAN. We are not endeavoring to expose your activities at all. We are asking you whether or not you have been connected with these things in order to ascertain whether or not you can probably give us answers to the questions that we would like to ask you.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mrs. LUSHER. I am sorry, I think I said I decline to answer the questions previously stated.

The CHAIRMAN. Are you on the board of The Defender?

Mrs. LUSHER. I am sorry, I must decline to answer on all the grounds I previously stated.

The CHAIRMAN. You see, that brings us right up to what we have been talking about. If you had told the truth about it or had at least admitted that you were on the board—and I have every reason to believe that you were—then we could ask you about The Defender and what its purposes were and things we would like to know about it in order to determine whether or not there ought to be legislation with respect to that kind of a publication.

Mr. McTERNAN. Mr. Chairman, excuse me a minute.

The CHAIRMAN. Surely.

(Witness confers with her counsel.)

Mrs. LUSHER. The organization that I have worked with for the last 3 years, I told you that I was executive secretary of, the Russian American Institute program I felt was in the best interests of the—

The CHAIRMAN. What about the magazine The Defender? That is what I was asking you about. Are you on the editorial staff of that magazine?

Mrs. LUSHER. I am sorry, I really—you know, I don't see the pertinency of the question and even though you have explained to me what you feel is the pertinency of it I feel that I also have to judge in my own heart what the pertinency of it is. And that this is my responsibility. I can't merely accept what you say as being the pertinency of it. I have to also try to judge it myself.

Mr. MOULDER. May I interrupt by asking, would you consider it pertinent for this committee to secure information on how some people operate in this country to undermine our Government and to overthrow it by force and violence or by revolution? Would you consider it pertinent for a person having information, say, about sabotage or treasonable acts against our country, would you consider it pertinent for us to have that information from the witness?

Mrs. LUSHER. Yes, sir; I certainly would.

Mr. MOULDER. You say you are employed by the Russian—

Mrs. LUSHER. I have been the executive secretary of the American Russian Institute.

Mr. MOULDER. American Russian Institute?

Mrs. LUSHER. Yes.

Mr. MOULDER. While in that position in the performance of your work and the course of your employment, have you come in contact with representatives of the Soviet Union Government?

Mrs. LUSHER. Yes; but before I answer that question I would like to answer your previous remarks. I personally do not believe in violence of any kind any place in our country or anywhere, and I would have no knowledge myself of any conspiracy to overthrow our Government by force or violence and would have no part in such a conspiracy.

My understanding of the Supreme Court ruling last year in the Smith Act cases was that the Supreme Court found no evidence of a conspiracy to overthrow the Government by force and violence—

Mr. MOULDER. The point I am coming to now, have you any knowledge or information concerning the efforts of any representative of the Soviet Union or of the Communists while in this country to influence or guide the course of the Communist Party in this country?

Mrs. LUSHER. Well—

Mr. MOULDER. I mean, do you have any personal knowledge of efforts by a foreign representative of the Soviet Union—

Mrs. LUSHER. No, I personally have no such knowledge or information.

Mr. MOULDER. Have you ever discussed the Communist Party activities in the country with any representative of the Soviet Union?

Mrs. LUSHER. The only area that I have ever discussed with the cultural representatives, the few that I have met in connection with my work with the institute, was strictly and entirely limited to the field of cultural exchange, entirely limited to that field.

Mr. MOULDER. Did you tell those persons who were discussing this subject that you were a member of the Communist Party over here or that you were not a member of the Communist Party in America?

Mrs. LUSHER. Well, that would never come up because I never discussed any question except the question of cultural exchange.

Mr. TAVENNER. She hasn't specifically answered your question.

Mr. McFERNAN. I submit that is answered, Mr. Chairman.

Mrs. LUSHER. I don't want to get—

The CHAIRMAN. Proceed, Mr. Tavenner.

Mr. TAVENNER. Have you discussed with the editorial committee of the Communist Party the workings or the activities of the American Russian Institute of which you are the executive secretary?

Mrs. LUSHER. Mr. Tavenner, I think that is a very loaded question and you know I have to decline to answer that on all the grounds that I have previously stated.

Mr. TAVENNER. Did you obtain the position of executive secretary as a result of any recommendation by any member of the Communist Party or any Communist Party unit?

Mrs. LUSHER. Mr. Tavenner, that is again, you know, the same kind of a loaded question.

Mr. TAVENNER. You refuse to answer?

Mrs. LUSHER. I have to refuse to answer it on all the grounds that I have previously stated. I told you very—

Mr. TAVENNER. You don't have to.

Mrs. LUSHER. Very honestly the program of the institute and its work in the field of cultural exchange, and you know I don't feel that you should ask these leading kinds of questions.

Mr. TAVENNER. Who preceded you as executive secretary of the Russian Institute?

Mrs. LUSHER. Mr. Tavenner, I can't give you any names about any individuals. I must decline.

Mr. TAVENNER. Was the person who preceded you a member of the Communist Party?

Mrs. LUSHER. Mr. Tavenner, you know this is exactly the same kind of a loaded question and I have to decline to answer it on all the grounds that I have previously stated.

Mr. TAVENNER. In other words, you will not tell this committee anything with regard to the workings of the Communist Party in this area. That is what you mean, plain and simple; isn't it?

(Witness confers with her counsel.)

Mr. MOULDER. May I suggest that Mr. Counselor interrogate the witness about the cultural exchange activities.

You mentioned one, that was the dancers.

Mrs. LUSHER. Yes.

Mr. MOULDER. What other?

Mrs. LUSHER. When Mr. Gilels was here.

Mr. TAVENNER. May I have an answer to my question first, Mr. Chairman?

Mrs. LUSHER. Of course, I decline to answer on all the grounds I previously stated.

When Mr. Gilels was here, we arranged a reception for him at Hollyhock House in Barnsdale Park and to which we invited many

of the leading musical people in the community. You see, while he was part of the cultural exchange program of the State Department, he was under the—he was being handled by a music impresario and the Civic Music Association was handling his concert tour. And they, of course, they are interested primarily in the concert itself and not in community activities around it.

The CHAIRMAN. What does this association have to do with the dancers?

Mrs. LUSHER. Well, this was about Mr. Gilels. On the Moiseyev Dancers, actually the only thing we did was to send out this letter. The Hollywood Bowl Association mailed it out, and it was, really, it was unnecessary actually because what it did was to recommend that people buy tickets and, of course, they were all sold out long in advance.

But when they came to Los Angeles, why, they were really lionized around the society people around the Hollywood Bowl.

The CHAIRMAN. What did your association have to do with it?

Mrs. LUSHER. We didn't have anything to do.

The CHAIRMAN. What about the musicians?

Mrs. LUSHER. On the Moiseyev, we did send out this mailing piece, this letter. With Mr. Gilels we arranged a reception for him to meet the musical—

The CHAIRMAN. He was coming here and you used that occasion for a reception and invited him to come to a reception and invited these other people to come and meet him?

Mrs. LUSHER. That is right.

The CHAIRMAN. What else does your organization do?

Mrs. LUSHER. When Mr. Kogan, the violinist, came also this spring, we arranged for him to visit one of the campuses, but unfortunately he had to fly back for a recording.

You see, there is no governmental organization, unfortunately—I wish there were—that was functioning in the field of arranging these kinds of social engagements for these artists. I hope that there will be actually.

The CHAIRMAN. What else do you inject yourself into?

Mrs. LUSHER. Well, when the architect, when the housing delegation came from the Home Builders Institute, we had a reception there at the Ambassador Hotel.

The CHAIRMAN. They weren't even aware of your existence when they came? They came as representatives of their Government to inspect activities of the U.S. Government?

Mrs. LUSHER. That is right. No, they came to visit housing. We did arrange a reception for them to meet with some of the architects in the city.

The CHAIRMAN. After you learned that they were coming, you got hold of the architects and arranged to have them meet the housing delegation at a reception?

Mrs. LUSHER. This is generally what we have done. We arranged for the cellist to meet musicians primarily and also to visit the UCLA campus. Naturally, they can't arrange these things themselves because it wouldn't be polite to go around inviting yourself to places. So it is helpful to them to have somebody arrange it for them. If our Government had a cultural exchange organization which I per-

sonally think would be a very fine idea to expand the State Department.

Mr. MOULDER. What exchange on the American side have you promoted to go over to the Soviet Union?

Mrs. LUSHER. I have had one really good idea. It didn't work out. We tried a variety of things. One I was very interested in. You know, California has a big fashion industry, and I thought when they had these fashion shows in the Soviet that it would be very good business for us and also good publicity, because the British did that and they sent a British fashion show.

I talked to a number of the fashion manufacturers around Los Angeles about the idea of arranging a group of maybe even American models to go and show fashions.

Mr. MOULDER. Actually, have you succeeded in any exchange from this side?

Mrs. LUSHER. No, we haven't.

The CHAIRMAN. Do you receive a salary for your work?

Mrs. LUSHER. No, I don't.

The CHAIRMAN. Are contributions made to your organization to maintain it?

Mrs. LUSHER. Well, yes, of course. I can't tell you the names of the people who give us money, but that was how we were financed, from people who were interested in the work of the program.

The CHAIRMAN. Do you file any expense account?

Mrs. LUSHER. In what way?

The CHAIRMAN. Accounting for the funds received by way of donations?

Mrs. LUSHER. I have made financial reports of the little bit there was.

The CHAIRMAN. Where do you file the report?

Mrs. LUSHER. Well, you know we give reports to our board.

The CHAIRMAN. Who is on the board?

Mrs. LUSHER. Well, I am sorry, but I can't give you the names of any of the people associated with me. I have to decline on all the grounds previously stated.

Mr. MOULDER. Where is this located, this headquarters?

Mrs. LUSHER. We were, as I said, over on Western near Santa Monica. We had a library that was open, the people could borrow books. But we weren't able to finance it and we have closed it and we stored the books, and actually we are not really—we don't have an office. I just use my home as an address.

Mr. MOULDER. Proceed.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. LUSHER. I am sorry, Mr. Tavenner, I have to decline to answer that on all the grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. McTERNAN. Mr. Chairman, we do not intend to make any statements to the press. We assume that since this is an executive session, the contents will not be released.

The CHAIRMAN. Did you issue a statement before you came?

Mr. McTERNAN. No.

The CHAIRMAN. That is a new device, issue a statement and say, "I won't talk." I want to apologize to you for being late, but this traffic of yours is pretty bad.

Mr. McTERNAN. It is; it is a real problem. That is a good area for legislative hearings to solve.

The CHAIRMAN. It is not the responsibility of the Federal Government.

Mr. McTERNAN. Thank you very much. It was a pleasure talking to you.

The CHAIRMAN. Will you raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ZWOLINSKI. I do.

TESTIMONY OF REVA MUCHA ZWOLINSKI, ACCOMPANIED BY
COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. What is your name, please?

Mrs. ZWOLINSKI. Reva Mucha Zwolinski.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. Yes; John T. McTernan, with the firm of Margolis, McTernan & Branton, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. Were you born on November 10, 1905, in Odessa, Russia?

Mrs. ZWOLINSKI. No.

Mr. TAVENNER. When and where were you born?

Mrs. ZWOLINSKI. I don't believe that that question is actually pertinent to the questioning this afternoon, sir.

Mr. TAVENNER. May I have a direction that the witness answer the question as to where she was born?

The CHAIRMAN. You are directed to answer the question of where you were born.

Mrs. ZWOLINSKI. I was born on November 10, 1904, in Russia, but not in the town that the counsel gave.

Mr. TAVENNER. What is the correct description of the town?

Mrs. ZWOLINSKI. I believe you spell it K-h-e-r-s-o-n.

Mr. TAVENNER. When did you come to the United States?

Mrs. ZWOLINSKI. Well, let me see. I believe that was in 1912 or 1913, I am not too sure of the actual year.

Mr. TAVENNER. Are you a naturalized citizen of the United States?

Mrs. ZWOLINSKI. I am a citizen of the United States.

Mr. TAVENNER. Are you naturalized by virtue of derivative citizenship?

Mrs. ZWOLINSKI. Yes.

Mr. TAVENNER. From your father?

Mrs. ZWOLINSKI. Yes.

Mr. TAVENNER. What is your father's name?

Mrs. ZWOLINSKI. Peter.

Mr. TAVENNER. And the last name?

Mrs. ZWOLINSKI. Mucha.

Mr. TAVENNER. Where did you reside when you first came to this country?

Mrs. ZWOLINSKI. New York City, I believe.

Mr. TAVENNER. When did you move to California?

Mrs. ZWOLINSKI. 1948.

Mr. TAVENNER. Where do you live in California?

Mrs. ZWOLINSKI. 5436 Lemon Grove Avenue, Hollywood.

Mr. TAVENNER. What is your occupation?

Mrs. ZWOLINSKI. I am a housewife.

Mr. TAVENNER. Have you held a position of an executive character in any organization?

Mrs. ZWOLINSKI. Yes, from time to time.

Mr. TAVENNER. Let me ask you this: Were you the executive secretary of the American Russian Institute?

Mrs. ZWOLINSKI. Yes.

Mr. TAVENNER. Over what period of time?

Mrs. ZWOLINSKI. Well, on and off between the periods of, I believe, 1948 to about 1954, or thereabouts. On and off during that period.

Mr. TAVENNER. Were you a member of the Communist Party at any time during that period?

Mrs. ZWOLINSKI. I decline to answer that question.

Mr. MOULDER. May I ask a question?

Mrs. ZWOLINSKI. I decline to answer that question.

Mr. MOULDER. Yes, I understand. How were you selected as secretary?

Mrs. ZWOLINSKI. Selected?

Mr. MOULDER. How is the secretary of this organization selected? Who makes the selection?

Mrs. ZWOLINSKI. I don't understand the question.

Mr. MOULDER. Of the American Russian Institute. Who determines who shall be employed or designated as secretary?

Mrs. ZWOLINSKI. Well, I still don't understand the question. What do you mean, "designated"? It is a job, like any other job.

The CHAIRMAN. How did you become secretary?

Mrs. ZWOLINSKI. I became a secretary because there was an opening in the institute, and I remember that I came to Los Angeles and I suppose a friend or two suggested that I might seek employment in that area, since I felt I was qualified.

Mr. MOULDER. My point is, who has the authority to make that selection?

Mr. ZWOLINSKI. I am sure I wouldn't know what you mean. The question is not very clear. I really don't understand the question.

The CHAIRMAN. When you became secretary, who told you, you were secretary?

Mrs. ZWOLINSKI. You mean in the institute, who determined it?

The CHAIRMAN. Yes.

Mrs. ZWOLINSKI. I was interviewed by a board of directors, I presume they were.

The CHAIRMAN. How much of a salary did you receive?

Mrs. ZWOLINSKI. Well, I believe, I think it started at about \$60 a week. It was some time ago, sir; it is a little too difficult to remember exactly.

Mr. MOULDER. Who interviewed you? You say there was a board?

Mrs. ZWOLINSKI. A number of people.

Mr. MOULDER. How many were on the board?

Mrs. ZWOLINSKI. It is awfully hard for me to remember.

The CHAIRMAN. To the best of your recollection.

Mrs. ZWOLINSKI. Six or eight people, I imagine, something like that.

Mr. MOULDER. Who were they?

Mrs. ZWOLINSKI. I will have to decline to answer that question, sir, because I don't believe you have any right to ask me with whom I associate or people that I have known or groups of people that I have associated with. And so I am going to use the first amendment of the Constitution that protects me from that kind of inquiry, and I will also use the privilege and the protection against your asking me questions against my will which is given me under the fifth amendment.

The CHAIRMAN. And you decline to answer for those reasons?

Mrs. ZWOLINSKI. On the first and on the fifth amendments, yes.

Mr. TAVENNER. Did you, during the period that you were the executive secretary of the American Russian Institute, from time to time meet with Communist Party groups to discuss the activities of the American Russian Institute?

Mrs. ZWOLINSKI. This is very generally the same kind of question that I was asked before, and I will answer it in the same way, declining to on the grounds previously stated.

Mr. TAVENNER. Do you recall an incident that occurred on May 18, 1952, at the time that the American Russian Institute had a booth at the All Nations Festival in Sportsmans Park, 9835 South Western Avenue, Los Angeles?

Mrs. ZWOLINSKI. Yes, sir; I remember that occasion very well.

Mr. TAVENNER. I believe part of the program of the institute included the placing of the Soviet flag.

Mrs. ZWOLINSKI. No, sir; that is incorrect.

Mr. TAVENNER. What occurred then?

Mrs. ZWOLINSKI. The Chamber of Commerce arranged booths of all the nations which were invited to participate in World Trade Week. We were given a map—I believe you would call it a map—outlining each one of the booths; and when I asked which one would be ours, the young woman who spoke to me on the phone and who had written us of course regarding that occasion, said that it would be such-and-such a number and it would have the flag of the country there. We found it there, and it remained there when we left.

The CHAIRMAN. Is there a free port here in Los Angeles?

Mrs. ZWOLINSKI. A free port? No, sir.

Mr. McTERNAN. You mean for the importation of articles?

The CHAIRMAN. Yes.

Mr. McTERNAN. I think not.

Mr. TAVENNER. I desire to offer in evidence a thermofax copy of the May 19, 1952, issue of the Los Angeles Examiner and ask that it be marked "Zwolinski Exhibit No. 1."

(Document marked "Zwolinski Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. This article describes the occasion that you referred to in this way:

Irate citizens yesterday broke up an attempt by Communist elements to infiltrate the start of Los Angeles' annual World Trade Week observances with Red propaganda.

Their protests were leveled against a Russian booth at the All Nations Festival in Sportsman's Park, 9835 South Western Avenue, the opening event of week-long World Trade activities here.

Decorated by a red flag with hammer and sickle, the booth operated for nearly 2 hours under the sponsorship of the American Russian Institute which was cited as subversive and Communist by Attorney General Tom Clark in 1949.

Displayed for public view under the direction of Reva Mucha, executive secretary of the Institute, were scores of pictures and pamphlets acclaiming life under Communism.

Do I understand you disagree with that account of the occurrence?

Mrs. ZWOLINSKI. I definitely disagree, because I think that a true picture would have been gotten from the director of the park and from the Chamber of Commerce, rather than from the newspapers. And that is an official record.

Mr. TAVENNER. The institute has been cited, has it not, as Communist by Attorney General Tom Clark?

Mrs. ZWOLINSKI. Well, there has been such a long list that I, frankly, am not particularly impressed one way or another.

Mr. TAVENNER. You were aware of that fact in 1952, were you not?

Mrs. ZWOLINSKI. I was aware of a great big, long list of all kinds of organizations.

Mr. TAVENNER. I say you were aware of that fact?

Mrs. ZWOLINSKI. Yes, I was.

Mr. TAVENNER. You were also aware that it was cited as a Communist-controlled organization which was intimately linked with the Institute of Pacific Relations according to the Senate Judiciary Committee report of July 2, 1952, were you not?

Mrs. ZWOLINSKI. Frankly, I don't remember all of the mention regarding that, but I do admit that I knew it was cited. I imagine that is sufficient.

Mr. TAVENNER. It was for the benefit of the record. I will also state that it was cited as specializing in pro-Soviet propaganda by the Internal Security Subcommittee of the Senate Judiciary Committee, "Handbook for Americans," April 23, 1956.

Mr. MOULDER. While you were secretary of this organization that you have described, what were your duties?

Mrs. ZWOLINSKI. Well, the purpose of the American Russian Institute and the functions was a research and lending library, and I was in charge. It was used primarily by universities and studios during my period of association with it. And it was a question of cataloging the material that came into the library both in the Russian and in the English.

The CHAIRMAN. Where did the material come from?

Mrs. ZWOLINSKI. From VOKS. That is the U.S.S.R. society for cultural exchange with foreign countries. This was a formal department for such a purpose, and the material came through the mails, through the U.S. mails, directly from the Soviet Union, and placed on the shelves for the public. We serviced anybody that needed material, whether they were translations or whether they just needed the research material. We had film and we had pictures and books. There was a very wonderful children's art exhibit that came, and we exhibited it at the University of Southern California. It was a particularly interesting one.

Of course, the films were very valuable, and we very often had overflow audiences to see these things. Of course, knowing that the State

Department in January of this year signed a cultural exchange agreement, it is very gratifying to know that the very purposes for which the institute had been established these many years is the policy of our State Department.

The CHAIRMAN. Did they ever send you the film of all those slave labor camps in Russia that the American Federation of Labor has cataloged?

Mrs. ZWOLINSKI. Not only that they did, but the American Federation of Labor did not either, so there must be a paucity of those films.

The CHAIRMAN. Go ahead.

Mr. MOULDER. Did you receive any material from any source other than that which you have mentioned, reading material?

Mr. ZWOLINSKI. On occasion, naturally, people would donate books to the library. They do that.

Mr. MOULDER. Did you receive and distribute any Communist Party literature?

Mrs. ZWOLINSKI. I am not aware of the Communist Party having any literature on the Soviet Union, certainly not as far as the institute was concerned.

Mr. MOULDER. Did you disseminate and distribute any Communist Party literature published in the country?

Mrs. ZWOLINSKI. Well, what would that have to do with material on the Soviet Union? I don't quite get the connection.

Mr. TAVENNER. Make her answer the question.

Mr. MOULDER. The question is very simple, whether or not you or anyone else connected with this organization referred to as the American Russian Institute distributed any Communist Party literature regardless of where it came from.

Mrs. ZWOLINSKI. Not to my knowledge. You mean issued by the Communist Party?

Mr. MOULDER. Or dealing with the Communist Party.

Mrs. ZWOLINSKI. Dealing with the Communist Party as such?

Mr. MOULDER. And its objectives.

Mrs. ZWOLINSKI. Not that I am aware of, no.

Mr. TAVENNER. Did the institute engage in the holding of public forums?

Mrs. ZWOLINSKI. What do you mean by forums, sir?

Mr. MOULDER. Panels for discussion of various topics.

Mrs. ZWOLINSKI. No, I wouldn't say forums. We had lectures, which is different, I would say. We would have speakers on various subjects, but there wouldn't be a forum.

Mr. MOULDER. Speakers on the subject of the Soviet Union?

Mrs. ZWOLINSKI. On various phases of the Soviet Union, yes—specific things.

Mr. MOULDER. Did any member of the Communist Party or any Communist Party unit confer in the selection of the speakers on such occasions?

Mrs. ZWOLINSKI. No.

Mr. MOULDER. Any of them?

Mrs. ZWOLINSKI. No. You are talking about conferring with me, aren't you?

Mr. MOULDER. Yes.

Mrs. ZWOLINSKI. Well, the answer is no, of course. I wanted to make sure.

Mr. MOULDER. Who selected the speakers for these occasions?

Mrs. ZWOLINSKI. Well, I am afraid that possibly I am responsible for most of them during the period that I was in the position that I was in.

Mr. MOULDER. And whom did you invite to attend?

Mrs. ZWOLINSKI. It depended on what the subjects were. We tried to get as clearly an expert within the limits of what one is able to get without importing.

Mr. MOULDER. Did you pay some of them? Would you name some of them?

Mrs. ZWOLINSKI. I would decline for the previous reasons mentioned. I don't want to take any extra time of the committee, but the reasons that I mentioned before, particularly a question involving any people in any way which the results of hearings of this kind have done before, I would have to decline on previous grounds.

Mr. MOULDER. While you were there, did any person lecture or address a meeting who was not a member of the Communist Party?

Mrs. ZWOLINSKI. That is really the same question. I am afraid I will have to give the same answer.

Mr. TAVENNER. I assume then that you selected Mrs. Elizabeth Moos as one of the speakers as indicated by this copy of a notice from the American Russian Institute. Will you examine it, please?

Mrs. ZWOLINSKI. I am sorry, I will have to decline to answer that question on the same grounds that I have given before, regarding any names of any people associated.

Mr. TAVENNER. Even any speaker who appeared on your program?

Mrs. ZWOLINSKI. I think so.

Mr. TAVENNER. Is that because to do so might tend to incriminate you?

Mrs. ZWOLINSKI. The question that you posed, of course, is one of my reasons naturally. And of course there is another reason, that I don't want to hurt anyone and they might very well be hurt by being included as admitted by me in this hearing.

Mr. TAVENNER. Mrs. Elizabeth Moos is the mother of William Remington, and there has been considerable testimony before our committee as to her and the activity that she carried on for the Communist Party in New York City in connection with the Peace Crusade. So there is nothing secret about Elizabeth Moos. Will that change your answer?

Mrs. ZWOLINSKI. No, sir.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Zwolinski Exhibit No. 2."

(Document marked "Zwolinski Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. I hand you another such program and ask you if it doesn't show Cyril Towbin as conducting a program on September 21, 1947, and ask if you selected that.

Mrs. ZWOLINSKI. Naturally the document speaks for itself, but of course if you will observe, sir, this is before my time.

Mr. TAVENNER. Yes; it is 1947. That is right, and you began in 1948.

Mrs. ZWOLINSKI. That is right.

Mr. TAVENNER. Do you know that Cyril Towbin is an identified member of the Communist Party? Do you know that?

Mrs. ZWOLINSKI. No, sir; I do not.

Mr. TAVENNER. He has appeared as a witness before this committee, though he did not admit membership.

You withdrew or resigned from the position of executive secretary in April 1955; did you not?

Mrs. ZWOLINSKI. As I said, sir, I was with the institute on and off during the period that I had mentioned. I frankly don't remember the exact dates of when there were periods that ended, you know.

Mr. TAVENNER. Since that period of time, since the period of time that you formally withdrew, have you been engaged in mass activities for the Communist Party? I meant to say in activities in mass organizations for the Communist Party in Los Angeles.

Mrs. ZWOLINSKI. This is pretty much in line with the other questions that I declined to answer, and I will so decline now for the same ground that I stated before.

Mr. TAVENNER. Are you a member of the District Council of the Communist Party—

Mrs. ZWOLINSKI. Same question.

Mr. TAVENNER. For the Southern District of California at this time?

Mrs. ZWOLINSKI. Same question, same answer.

Mr. MOULDER. You say when you first started working you received a salary, as you recall, of approximately \$60 a week?

Mrs. ZWOLINSKI. I believe so.

Mr. MOULDER. When your employment was terminated or whenever you ceased or resigned, were you still drawing that amount of salary?

Mrs. ZWOLINSKI. Well, it wasn't more, I assure you. There might have been a period in between when there may have been a little higher salary; I don't recall too clearly.

Mr. MOULDER. Have you been associated with this organization known as the American Russian Institute since you quit working there?

Mrs. ZWOLINSKI. No, I have not, sir.

Mr. MOULDER. Do you know whether or not they still pay the salary that you received?

Mrs. ZWOLINSKI. I haven't any idea of the present status of the Russian Institute.

Mr. MOULDER. The record here, according to the testimony that we show, is that the person now employed as secretary doesn't receive any salary.

Mrs. ZWOLINSKI. It is altogether possible. I said it is altogether possible, because funds were never too plentiful.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Will you stand up and raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PAPP. I do.

TESTIMONY OF LEON PAPE, ACCOMPANIED BY COUNSEL,
HUGH R. MANES

Mr. TAVENNER. Will you state your name, please, sir?

Mr. PAPE. Leon Pape.

Mr. TAVENNER. Will you spell your last name?

Mr. PAPE. P-a-p-e.

Mr. TAVENNER. Is there any abbreviation or a nickname by which you are also known, that is, abbreviation of your first name?

Mr. PAPE. Not that I am aware of.

The CHAIRMAN. P-a-p-e?

Mr. PAPE. Like paper without an r.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MANES. Hugh R. Manes, Los Angeles.

Mr. TAVENNER. Member of the California Bar?

Mr. MANES. Yes, sir.

Mr. TAVENNER. When and where were you born, Mr. Pape?

Mr. PAPE. I was born in the city of New York on February 8, 1925.

Mr. TAVENNER. Where do you now reside?

Mr. PAPE. In Monterey Park, Calif.

Mr. TAVENNER. How long have you lived in California?

Mr. PAPE. It will be, in years, 9 years this month.

Mr. TAVENNER. Have you lived continuously in California during that 9-year period?

Mr. PAPE. Yes, I have.

Mr. TAVENNER. Were you in the Armed Forces of the United States?

Mr. PAPE. Yes, I was.

Mr. TAVENNER. Over what period of time did you serve?

Mr. PAPE. I was sworn into the services in 1942, December, and served until March 1946.

Mr. TAVENNER. In what branch of the service were you?

Mr. PAPE. U.S. Coast Guard.

Mr. TAVENNER. What is your occupation?

Mr. PAPE. I am a medical physicist.

Mr. TAVENNER. Doctor Pape?

Mr. PAPE. No, I do not have a doctorate. I have a master's degree.

Mr. TAVENNER. Will you give us briefly a statement of your formal educational training?

Mr. PAPE. Yes. I graduated Brooklyn Technical High School, served in the Coast Guard. Upon discharge went to Brooklyn College in New York City, graduated from there and then went to graduate school at the University of Southern California.

Mr. TAVENNER. In what field did you specialize?

Mr. PAPE. Physics.

Mr. TAVENNER. What degree do you hold?

Mr. PAPE. A master of science in physics.

Mr. TAVENNER. A master of science?

Mr. PAPE. Yes, sir.

Mr. TAVENNER. When did you obtain that degree?

Mr. PAPE. 1953.

Mr. TAVENNER. What has been your record of employment since that time?

Mr. PAPE. From 1953 till 1955 I worked as a toolmaker and then in 1955 obtained employment in my field as it is presently.

Mr. TAVENNER. What year?

Mr. PAPE. 1955.

Mr. TAVENNER. As a toolmaker?

Mr. PAPE. Until then, yes.

Mr. TAVENNER. Until 1955 as a toolmaker, I beg your pardon. And since that time your employment has been what?

Mr. PAPE. As a medical physicist.

Mr. TAVENNER. What are your duties as a medical physicist?

Mr. PAPE. I work in the department of radiology in the hospital, where I am responsible for the physics associated with the use of radioactive materials and radiation in diagnosing and treating conditions.

Mr. TAVENNER. Mr. Pape, are you at the present time a member of the Communist Party?

Mr. PAPE. Mr. Counsel, I would like to indicate that I feel that the mandate of the committee, as I have understood from the literature given me from the subpoena, is such that I cannot find ground for the pertinency of the question that you ask me. I would like to further indicate that I feel that the mandate of the committee is so vague so that it is difficult for me to determine whether I am responsible to answer.

I would like, too, in view of these considerations plus the fact that the question that you asked me, I would humbly submit, is a question which requests information concerning my political beliefs and associations, which I feel are private information which I am not compelled to disclose based on constitutional guarantees. On that basis I will decline to answer that question.

Mr. TAVENNER. Let me make this explanation of pertinency to you. Dorothy Healey, the chairman of the Communist Party for the Southern District of California and a member of the National Committee of the Communist Party, made a report to a convention of the district in Los Angeles in April of 1957, at which time she boasted of the leadership that her group of the Communist Party had given and supplied in connection with the H-bomb.

It is the information of this committee that you have been utilized by going around to churches and other places and engaging in a discussion, in one instance at least, under the title of "Doctor of the Scientific Phases of Radiation From the Use of the H-Bomb," and in opposition to the policy, present policy of this Government with regard to it. It is certainly vital to this investigation to understand to what extent the Communist Party here is succeeding in the boast and claim of Dorothy Healey as chairman.

The question asked you "whether you are a member of the Communist Party," will be followed with questions as I have indicated. So I think you see the pertinency of the question from that explanation, do you not?

(Witness confers with his counsel.)

Mr. PAPE. I would like to indicate that I feel that the question still is not pertinent to any, as I can understand, lawful and legal

procedure of a legislative committee. I would like to further again reiterate that I believe that the mandate is so vague that I am still not able to determine my responsibility in this case.

Mr. TAVENNER. May I have a direction that the witness answer?

The CHAIRMAN. You are directed to answer the question.

(Witness confers with his counsel.)

Mr. PAPE. I would still like to decline to answer on the grounds given and further on the fact that the question serves no purpose in the legal mandate and purposes of a legislative committee and that because this in effect questions my political associations and beliefs about which Congress cannot legislate and therefore the committee has no right as I understand it as an arm of Congress for the purpose of legislation.

The CHAIRMAN. And do you decline to answer the question?

Mr. PAPE. I decline to answer the question.

Mr. TAVENNER. Are you part of the leadership of the Communist Party which Dorothy Healey said she had furnished in the fight against the H-bomb in this area?

Mr. PAPE. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Are you a member of a professional group of the Communist Party, including for the most part scientists?

Mr. PAPE. Same answer.

Mr. TAVENNER. How many public appearances have you made in Los Angeles in the fight against the H-bomb?

(Witness confers with the counsel.)

Mr. PAPE. I am not at this point able to say with accuracy in how many instances I have spoken on the question of radiation.

Mr. TAVENNER. I hand you an advertisement bearing date of June 7, 1957, of an important meeting about H-bomb tests to be held at the First Baptist Church in Los Angeles, and I see that one of the speakers is listed as Leon Pape, Ph.D., Federation of American Scientists. You have already stated that you do not have a Ph.D. Are you a member of the Federation of American Scientists?

(Witness confers with counsel.)

Mr. PAPE. I would decline to answer that on the basis of the reasons previously given.

Mr. TAVENNER. You do not mean to contend, do you, seriously that being a member of the Federation of American Scientists could possibly tend to incriminate you?

Mr. PAPE. If I may indicate to you why I made that statement—

Mr. TAVENNER. No, I want to test your good faith in refusing to answer that question on the grounds, among others, of the fifth amendment. That is all I am doing. I want to see if you seriously contend that being a member of that organization could in any way tend to incriminate you.

Mr. PAPE. I haven't stated that I am relying on the fifth amendment.

Mr. TAVENNER. You have not?

Mr. PAPE. No, I haven't on the self-incrimination clause.

Mr. TAVENNER. Very well. Then I think you should state it again, because I do not understand what your objection is.

Mr. PAPE. My objection is that the question requires me to answer questions concerning my associations and on the grounds that I have

previously stated, it is my understanding that the Constitution allows me my associations as a private matter about which Congress cannot legislate. Since this committee is ostensibly inquiring for the purposes of legislation, I can't understand the pertinency, and, therefore, I decline to participate in that.

MR. TAVENNER. Mr. Chairman, I ask you to direct the witness to answer.

THE CHAIRMAN. You are directed to answer the question.

(Witness confers with counsel.)

MR. PAPE. I would like to reiterate that I find that the mandate of the committee is so vague as to raise the question as to the pertinency of this question with respect to a valid legislative purpose. I further decline because the mandate does not give me the necessary grounds by virtue of vagueness to understand and to accept a responsibility to answer. And further because the question violates my right to the privacy of my associations as guaranteed by the first amendment of the Constitution.

Furthermore, while I am not claiming the self-incrimination clause of the fifth amendment, I do want to use the due process that is afforded me.

MR. TAVENNER. Let me put the question to you this way. Have you represented yourself as a member of the Federation of American Scientists?

MR. PAPE. I would decline to answer that on the grounds previously stated.

MR. TAVENNER. Have you been guilty of deception of the audiences before which you have appeared in claiming that you were a member of the Federation of American Scientists?

MR. PAPE. I would decline on the grounds previously stated and because it requires me to draw a conclusion which I do not feel is a proper—

MR. TAVENNER. A conclusion?

MR. PAPE. Yes, sir.

MR. TAVENNER. Well, I don't think that could possibly be a proper expression of what has occurred. If you are guilty of deception, it is not a conclusion; you know it. It is a fact or it isn't a fact. It is not a question of conclusion.

THE CHAIRMAN. What representations were made?

MR. TAVENNER. I offer in evidence, Mr. Chairman, the advertisement that I have referred to earlier in his testimony entitled "An Important Meeting about H-Bomb Tests, Hear Leon Pape, Ph.D., Federation of American Scientists, Friday, June 7, 1957," and ask that it be marked "Leon Pape Exhibit No. 1."

THE CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Leon Pape Exhibit No. 1" and retained in committee files.)

THE CHAIRMAN. What is this Federation of American Scientists?

(Witness confers with counsel.)

MR. PAPE. I would decline to answer on the basis of the reasons previously given.

MR. TAVENNER. I also offer in evidence and ask that it be marked "Pape Exhibit No. 2," a thermofax copy of an article appearing in the June 8, 1957, issue of the People's World entitled "New protests

prelude to bomb ban meet." In the last paragraph I find this statement which I will read if it is accepted in evidence.

The CHAIRMAN. It is accepted.

(Document marked "Leon Pape Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER (reading):

Scheduled to speak at the Friends' meeting were E. Raymond Wilson, national executive secretary of the Friends Committee on Legislation, and Dr. Leon Pape of the Federation of American Scientists.

Did you, as early as 1957, give information which resulted in the listing of your name as that of a doctor and as a member of the Federation of American Scientists?

Mr. PAPE. To the best of my recollection, since I have no right to use the term "doctor," I have never given my name as a doctor or the title as a doctor to anybody.

Mr. TAVENNER. Did you give it as a member of the Federation of American Scientists?

Mr. PAPE. I would like to decline to answer on the grounds previously stated.

The CHAIRMAN. Do you mean to contend that if you admitted you were a member of this association you might be subjected to a criminal prosecution?

Mr. PAPE. No, I don't mean to contend this. I am not in any way ashamed of any of my actions.

The CHAIRMAN. Are you a member of this organization?

Mr. PAPE. But I feel that the question as to membership in organizations properly is one that I reserve for myself to decide whether or not to disclose.

The CHAIRMAN. Are you a member of this organization?

Mr. PAPE. I will decline to answer that question as previously indicated.

Mr. TAVENNER. Did you appear at the Baptist Church for the purpose of making the address advertised in the exhibit that I introduced, exhibit No. 1?

Mr. PAPE. I would decline to answer that question on the same grounds.

Mr. TAVENNER. Did you speak at the meeting referred to in exhibit No. 2?

Mr. PAPE. May I see the exhibit?

The CHAIRMAN. Yes, sir.

(Exhibit handed to witness.)

Mr. TAVENNER. The last paragraph refers to you as being scheduled as a speaker on that occasion.

Mr. PAPE. Would you please restate the question for me again?

Mr. TAVENNER. Did you participate as scheduled as a speaker on that occasion?

Mr. MOULDER. What occasion was it?

Mr. TAVENNER. The occasion announced on June 8, 1957, as "New protests prelude to bomb ban meet." As to the exact date of the appearance which he was to make, I am not certain.

Mr. PAPE. I would decline to answer that on the grounds previously stated, and because I believe the committee has no right to inquire into my beliefs or the circumstances under which I express them.

Mr. TAVENNER. In the various appearances that you said you made but you could not recall how many on this subject, did you explain to your audiences that you were a member of the Communist Party?

(Witness confers with his counsel.)

Mr. PAPE. I decline to answer on previous grounds.

Mr. TAVENNER. Will you tell the committee, please, whether or not you were counseled regarding your appearances, public appearances on this subject, by units of the Communist Party or functionaries of the Communist Party?

Mr. PAPE. I must decline to answer that on the same grounds that I previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. PAPE. Same answer.

Mr. TAVENNER. Were you a member of the Communist Party on June 8, 1957?

Mr. PAPE. Same answer; Mr. Counsel.

Mr. TAVENNER. Were you a member of the Communist Party June 7, 1957?

Mr. PAPE. The same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. MANES. May I request of the committee that the name and the testimony of the witness not be disclosed?

The CHAIRMAN. The testimony won't be disclosed, I will assure you that, because the young lady will not have it transcribed until she gets back to Washington.

Mr. MANES. May we also have the assurance that the name will not be disclosed?

The CHAIRMAN. As far as we are concerned, we will not disclose it.

Mr. PAPE. Thank you very much.

The CHAIRMAN. Do you swear that the testimony you are about to give will be the truth, the whole, truth, and nothing but the truth, so help you God?

Mrs. PAPE. I do.

TESTIMONY OF EDITH WEINER PAPE, ACCOMPANIED BY COUNSEL, HUGH R. MANES

Mr. TAVENNER. Will you state your name, please?

Mrs. PAPE. Edith Weiner Pape.

Mr. TAVENNER. Will you spell your name, please?

Mrs. PAPE. The entire name, sir?

Mr. TAVENNER. The middle name and last name.

Mrs. PAPE. W-e-i-n-e-r P-a-p-e.

Mr. TAVENNER. Where do you reside?

Mrs. PAPE. 1190 Branhan Street, Monterey Park.

Mr. TAVENNER. Please state the place and date of your birth.

Mrs. PAPE. I was born in New York City on April 6, 1924.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MANES. Hugh R. Manes, Los Angeles, member of the California bar.

Mr. TAVENNER. Was Weiner your maiden name?

Mrs. PAPE. Yes, it was.

Mr. TAVENNER. What is your profession?

Mrs. PAPE. I am a housewife.

Mr. TAVENNER. Our investigation discloses that you were at one time a WAC.

Mrs. PAPE. Yes, I was.

Mr. TAVENNER. When was that?

Mrs. PAPE. I served during the years 1945 to 1947, to the best of my recollection.

Mr. TAVENNER. Are you now in the service?

Mrs. PAPE. No, I am not.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. PAPE. As my permanent residence?

Mr. TAVENNER. Yes.

Mrs. PAPE. Well, I don't know whether you would consider my Army service as part of my permanent residency. I have lived here since my marriage, the greater part of the permanent part of my residency I would say since 1949, I believe.

Mr. TAVENNER. Will you state your educational training, please, your formal educational training?

Mrs. PAPE. I attended the public schools in New York City. I attended, and received the bachelor of arts degree from Hunter College in New York City. I attended the University of Southern California in graduate study.

Mr. TAVENNER. Are you a member of the Communist Party in Los Angeles?

Mrs. PAPE. On the ground that this committee by its mandate is not legally in a position to ask me a question of this nature that would refer to associations, on the ground that the first amendment specifically prohibits legislation in this area, and also on the fact that the mandate is so vague that it does not afford me a simple standard by which I may determine whether I am under a duty to answer this question, and further, since I am not, I cannot determine the pertinency of this question as related to the mandate as it is stated, I must decline to answer the question.

(Witness confers with counsel.)

Mrs. PAPE. I would like to add also that I feel this question is impertinent to the investigation as I understand it.

Mr. TAVENNER. Where did you reside in May of 1945?

Mrs. PAPE. May of 1945? I believe that was the month that I enlisted in the Woman's Army Corps. I believe, to the best of my recollection, my residence was on Bostwick Street in Los Angeles.

Mr. TAVENNER. 3807?

Mrs. PAPE. That sounds familiar, but I am not exactly sure.

Mr. TAVENNER. At that time, were you a member of the City Terrace Club of the Communist Political Association?

Mrs. PAPE. I must decline to answer that question on the same grounds as previously stated. I cannot understand the pertinency of this question, and I feel that it is outside the province of this committee to ask a question of this nature regarding associations, since Congress cannot legislate in this area.

Mr. TAVENNER. At a meeting-----

Mrs. PAPE. And all the grounds previously stated.

Mr. TAVENNER. At a meeting of the Communist Party for the Southern District of California on April 13 and 14, 1957, Dorothy Healey made a very extensive report regarding the duties of the members of the Communist Party and what constitutes the Communist Party line as handed down by the National Committee of the Communist Party. She reported that one of the most serious duties of a member of the Communist Party was to work in mass organization.

We desire to understand and to learn all we can about the present purposes of the Communist Party in that field, the extent of this work in the mass organization as set down by the party on a national level, so I want to ask you whether or not since April 1957 you have been engaged in any particular work in that field at the request of the Communist Party.

Mrs. PAPE. I must decline to answer that question on the ground previously stated.

(Witness confers with her counsel.)

The CHAIRMAN. When you say "I must" you mean "I do"?

Mrs. PAPE. I would like to add also that I decline to answer on the basis that the question itself is so vague that I cannot recognize the pertinency of this question as related to the investigation.

Mr. TAVENNER. That is certainly a sound objection, if I have not stated it clearly, so let me ask you specifically. Are you now engaged in Communist Party activities within any mass organization at the behest of the Communist Party?

Mrs. PAPE. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. But not on the ground of pertinency of the question?

Mrs. PAPE. On the grounds, all the grounds previously stated, including that.

Mr. TAVENNER. Well, in order to make the question more intelligible I think the only way I can do it is to go back and ask you about certain activities of that character which the committee is informed you have been engaged in prior to April 1957. For instance, were you a member of the Labor Youth League and engaged in work in that organization?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated. And for the additional reason that it is not related to any valid legislative purpose.

Mr. TAVENNER. The Labor Youth League is a Communist organization, as you know.

Mrs. PAPE. Is that a question, sir?

Mr. TAVENNER. Yes.

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Although it is not in existence at the immediate time. Are you engaged in any youth work at this time in response to any directive of the Communist Party?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. I offer in evidence and ask that it be marked "Edith Pape Exhibit No. 1," a thermofax copy of an article appearing in the

January 19, 1948, issue of People's World, entitled "Youth rally condemns UMT drive."

In the course of this article I find this statement: "Ex-WAC Edith Weiner was awarded an album of Josh White records for returning the highest number of signatures, 34." Will you look at it, please, and tell us what signatures you obtained and for what purpose?

(Document marked "Edith Pape Exhibit No. 1" and retained in committee files.)

Mrs. PAPE. I decline to answer the question on the grounds previously stated, and in addition I would like to add a further ground, that of infringing on my right to petition guaranteed by the first amendment.

Mr. TAVENNER. Were you not engaged in a campaign with the youth committee for the Independent Progressive Party in opposition to universal military training in 1948?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Were you, on January 18, 1948, a member of the Communist Party?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Did you also take an active part in the work of the Independent Progressive Party of California at the instance of the Communist Party or functionaries thereof?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated. In addition, I would like to add the ground that this infringes on my right to a secret ballot and to petition as previously stated.

Mr. TAVENNER. There certainly cannot be anything in the nature of a secret ballot about this. I desire to offer in evidence a photostatic copy of the Independent Progressive Party of California petition to participate in the primary election of June 1, 1948, with a number of signatories thereto, and ask that it be marked "Edith Pape Exhibit No. 2."

The CHAIRMAN. Let it be marked and made a part of the record. (Document marked "Edith Pape Exhibit No. 2" and retained in committee files.)

Mrs. PAPE. Is that a question, sir?

Mr. TAVENNER. No, I am now going to ask you one. Will you please examine the exhibit? You will find at the end of it there is an affidavit over the signature of Miss Edith Weiner. Will you examine it, please, and state whether or not it is your signature?

Mrs. PAPE. I don't understand what the necessity is of my having to examine the document when you have already introduced it into evidence.

Mr. TAVENNER. May I ask that the witness be directed to answer whether that is her signature or not?

The CHAIRMAN. You are directed to answer the question as to whether or not this document contains your signature.

Mrs. PAPE. I am sorry, sir, I find it very difficult to hear you.

The CHAIRMAN. You are directed to answer the question.

Mrs. PAPE. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Mrs. Pape, the committee's investigation in the past years has disclosed the existence of an organization known as the Servicemen's Defense Committee, the purpose of which was to oppose the dishonorable discharge of Communists in the Armed Forces of the United States. Were you a member of the Servicemen's Defense Committee?

Mrs. PAPE. I decline to answer on all grounds previously stated.

Mr. TAVENNER. Did you attend the Los Angeles County convention held in January 1957?

Mrs. PAPE. I decline to answer that question on all grounds previously stated.

Mr. TAVENNER. I believe I have asked you a question of whether you are now a member of the Communist Party.

Mrs. PAPE. I decline to answer that question.

Mr. TAVENNER. To be certain, I will ask you now. Are you?

Mrs. PAPE. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness will be excused.

Mrs. PAPE. Thank you, sir.

Mr. MANES. Mr. Chairman, may I respectfully request that the witness' name and testimony be withheld?

The CHAIRMAN. Will you raise your hand, please? Do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BLAIR. I do.

TESTIMONY OF NAOMI CLAIRE BLAIR, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mrs. BLAIR. Naomi Claire Blair.

Mr. TAVENNER. Where do you reside?

Mrs. BLAIR. 327 Laveta Terrace.

Mr. TAVENNER. Will you state when and where you were born?

Mrs. BLAIR. Mr. Congressman, I was brought up to be a law-abiding citizen. I have always felt that it was my duty to cooperate with any legitimate agency of the Government engaged in carrying out legitimate activities. After very careful thought, I have come to the conclusion that this committee is an unconstitutional committee, since under the first amendment Congress is prohibited from passing any laws which would restrict freedom of speech, opinion, or association, and, therefore, I feel it is my right and my duty as a citizen of the United States, in accordance with the teaching of my forefathers, to refuse to cooperate with this committee by answering any questions whatsoever. Therefore, I refuse to answer this question because I do not feel that it is pertinent to any legislation that could be proposed as the result of any investigation carried on by this committee, since the investigation has been primarily in the field of thought and opinion, an area in which it is prohibited that Congress should pass any legislation.

Mr. TAVENNER. Pardon me. Will counsel accompanying the witness identify himself for the record?

Mr. McTERNAN. John T. McTernan, Margolis, McTernan, & Branton, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. Were you born on March 21, 1902, in Berlin, Wis.?

Mrs. BLAIR. I decline to answer for the reasons previously stated, and also because, although this appears to be an innocent question and the answer to which would be innocent, it is my belief that, considering the nature of this committee, answering this question might lead, be a chain in a link, a link in a chain or circumstantial evidence which might tend to incriminate me. And, therefore, under the fifth amendment, which says that nobody may be asked to be a witness against himself, and under the first amendment, under which I feel you have no business to ask me any questions at all, since you are an unconstitutional committee, I decline to answer, under the first and fifth amendments.

Mr. TAVENNER. According to an investigation that has been conducted by this committee—

Mrs. BLAIR. May I smoke, Mr. Congressman?

The CHAIRMAN. Sure.

Mrs. BLAIR. Thank you.

Mr. TAVENNER (continuing). It has received information that you were a member of the Zapata Section of the Communist Party.

Mrs. BLAIR. Is there a question?

Mr. TAVENNER. Is it true that you are a member of the Zapata Section of the Communist Party of Los Angeles?

Mrs. BLAIR. It seems to me that the answer to that question might be an innocent answer, but I refuse to answer under the first and fifth amendments. Again you are inquiring into associations and beliefs.

Mr. TAVENNER. The committee has information that there is in existence now in southern California a new organization known as the Southern California District of the Communist Party and that in this district there is a council, a district council composed of 62 members; that there are alternates to district meetings designated by the various sections of the Communist Party and sometimes these alternates are referred to as observers. Have you attended one of the district council meetings as an observer?

Mrs. BLAIR. I decline to answer for the reasons previously stated, the first and fifth amendments, and also I believe, isn't it the—may I be permitted to consult my copy of the Constitution? I think it is the fourth amendment to the Constitution which guarantees one against unlawful search.

The right of the people to be secure in their persons, houses, papers, and effects and against any unreasonable searches and seizures shall not be violated.

The committee seems better informed than I do, and I think that before it expects an answer it should state to me what it thinks I am guilty of and the source of its information, the person who makes the accusation. Under the Constitution we have a right to know who makes accusations. Now personally I feel that freedom in our country will be much better guaranteed if everybody has a right to belong to the groups that they wish to belong to and to express their opinions freely. This was the opinion of my forefathers who participated in the founding of this country, and I have no reason to depart from the

very wise instructions that I think my parents and my grandparents gave me. I therefore decline to answer this question under the first and the fifth amendments, as I feel it is my duty as a citizen, a loyal citizen of the United States, to refuse to cooperate with this committee in its unlawful, unconstitutional procedures.

Mr. MOULDER. May I ask you, do you consider it a privilege as an American citizen, as a loyal American citizen which you claim to be, to join or belong to a group which would advocate the overthrow of our Government by force and violence?

Mrs. BLAIR. I know of no such group that advocates the overthrow of the Government by force and violence, and I do not subscribe to such opinions. However, I think this committee would do well to investigate some of the groups who have advertised in the papers that they intend to subvert the Constitution and that have even advocated secession from the United States.

Mr. MOULDER. You, a moment ago, asserted the right to belong to any group?

Mrs. BLAIR. To any group that is conducting itself in a peaceful and a lawful manner. I have no knowledge of any conspiracy. Now, if this committee knows of any conspiracy or any acts that are illegal, then I would suggest that they bring charges, bring this to the attention of the proper authorities and allow it to take proper legal channels. We have laws to take care of illegal acts. But when a committee investigates opinions, associations, then it is in violation of the Constitution in every day of its existence.

Mr. MOULDER. Now, you declined to answer the question?

Mrs. BLAIR. Under the first and the fifth amendments.

Mr. MOULDER. Under the first and fifth amendments. Under the fifth amendment you think that if you answer the question it might furnish information that would subject you to prosecution?

Mrs. BLAIR. It is very probable, considering the nature of this committee and the manner in which they distort things; very probable. In fact, I have heard that way back in colonial days a man was executed as a witch because he admitted he was in the barn at 6 o'clock at night milking his cow. And somebody else, a psychotic, came along and said, "Sure he was in the barn and he was talking to the Devil, had horns. I saw the horns and the tail myself."

Mr. MOULDER. How long have you been in California?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. MOULDER. Do you belong to any illegal group or organization in the State of California?

Mrs. BLAIR. I decline to answer for the same reason. I know of no such organization. However, I decline to answer for the reasons previously stated. I don't know what organizations you term illegal.

Mr. MOULDER. Have you ever had any experience in making speeches?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. The committee has received considerable evidence over a period of several years relating to the activities of the Communist Party in the organization and promotion of the Independent Progressive Party of California, and the committee has at places noted the concentration of Communist Party efforts in that organization. The committee has information that you have been very active in that organization. I want to inquire from you whether or not your ac-

tivity was inspired by the directions or counsel of a Communist Party unit or any functionary in the Communist Party.

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Have you met in Communist Party meetings and there discussed with the leadership, loyal leadership of the Communist Party, what course should be pursued in the Independent Progressive Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Was not the Downtown Club of the Independent Progressive Party the center of your activities in that type of work?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you the person who selected the speakers to appear before that group?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you secretary of the club? That is, the Downtown Club?

Mrs. BLAIR. I decline to answer.

Mr. TAVENNER. Of the Independent Progressive Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you active to the extent that you became a member of the State Central Committee of the Independent Progressive Party in 1954?

Mrs. BLAIR. I decline to answer for the reasons previously stated and for the record I wish to remind the committee that the Independent Progressive Party was a legal organization.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of appointment of members of the State Central Committee in the year 1954 of the Independent Progressive Party and ask that it be marked "Naomi Blair Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

(Document marked "Naomi Blair Exhibit No. 1" and retained in committee files:)

Mr. TAVENNER. The first name appearing on the list of those appointed is Nan Blair. Have you been known by the name of Nan Blair?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Approximately 4 years ago the Independent Progressive Party of California lost its right to be on the ballot because of the failure to obtain the necessary petitioners or the necessary vote, I believe, to qualify under the State law. Now after that time, did the Downtown Club of the Independent Progressive Party sponsor the Progressive Forum?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Isn't it true that the organization is still called the Downtown Club?

Mrs. BLAIR. I decline to answer.

Mr. TAVENNER. Just a moment, but that it is the sponsor of the Progressive Forum?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of the Downtown Club, Independent Progressive Party, report, without a date appearing thereon and ask that it be marked "Naomi Blair Exhibit No. 2."

The CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Naomi Blair Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. I desire also to introduce in evidence a second report relating to the Downtown Club, Independent Progressive Party, relating to a club meeting and showing the names of the various officers of the club.

The CHAIRMAN. It will be made a part of the record.

Mr. TAVENNER. May it be introduced and marked "Naomi Blair Exhibit No. 3"?

(Document marked "Naomi Blair Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. I also desire to introduce into evidence a number of thermofax copies of the Downtown Club News, all bearing the same address, and a thermofax copy of a flyer, "The Downtown Club Forum Presents Jack Greenhill," etc., and ask that they be marked as "Naomi Blair Exhibit No. 4."

The CHAIRMAN. Mark them and make them a part of the record. Let me see the newsletter.

(Exhibit handed to the chairman.)

(Document marked "Naomi Blair Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. I desire to introduce in evidence also thermofax copies of the Progressive News of February 5, March 1, and May 14, 1958, and two undated issues, but appearing to be 1958, marked "Volume 5, VI," and also "VII" and ask that they be marked with the appropriate number.

The CHAIRMAN. They will be made a part of the record.

(Documents marked "Naomi Blair Exhibit No. 5," and retained in committee files.)

Mr. TAVENNER. I notice there is a heading on these various Progressive News reports "A Nonpartisan Community Club Dedicated to Peace, Freedom, and Equality." Is nonpartisan an accurate description of this paper?

Mrs. BLAIR. I decline to answer for the reasons, for the reasons previously stated.

Mr. TAVENNER. Isn't it actually a tool of the Communist Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Most of these exhibits—and I am looking now particularly at volume IV, No. 6, of May 14, 1958—are signed "The Executive Board of the Downtown Club, Secretary Nan."

Does that refer to you as the secretary of that club?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you the secretary of that club on that date?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. In addition to participation in the work of these organizations, have you not been active in the Civil Rights Congress?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. And the Los Angeles Committee for Protection of Foreign Born?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Are you a nurse by profession?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I desire to introduce still another document in evidence, a thermofax copy of the issue of July 20, 1957, People's World, in which Progressive Forum is advertised as having a speaker by the name of Nan Blair.

Will you examine it, please, and state whether or not you are the person referred to? It is underscored in red.

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. May it be introduced in evidence and marked "Naomi Blair Exhibit No. 6"?

The CHAIRMAN. It may be so marked.

(Document marked "Naomi Blair Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. Do you follow the occupation of a nurse?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

When the committee starts inquiring—

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SILVER. I do.

TESTIMONY OF SOPHIE SILVER, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mrs. SILVER. Sophie Silver.

Mr. TAVENNER. It is noted that the witness is represented by the same counsel as the former witness.

Were you born on September 22, 1899, in Novay, Russia?

Mrs. SILVER. Right.

Mr. TAVENNER. What was your maiden name?

Mrs. SILVER. Chelnick.

Mr. TAVENNER. Will you spell it, please?

Mrs. SILVER. C-h-e-l-n-i-c-k.

Mr. TAVENNER. When did you come to this country?

Mrs. SILVER. In 1913.

Mr. TAVENNER. Were you naturalized?

Mrs. SILVER. Yes.

Mr. TAVENNER. As a citizen of the United States in New York on November 4, 1943?

Mrs. SILVER. Right.

Mr. TAVENNER. What is your occupation?

Mrs. SILVER. I am a garment worker.

Mr. TAVENNER. When did you come to California to make it the place of your permanent residence?

Mrs. SILVER. I believe it was in 1946.

Mr. TAVENNER. Have you lived here continuously since that date?

Mrs. SILVER. Yes.

Mr. TAVENNER. According to the committee's information, you were a delegate to and attended the Los Angeles County Communist

Party convention on January 5 and 6, held in Los Angeles on that date in the year 1957. Is that correct?

(Witness confers with counsel.)

Mrs. SILVER. I refuse to answer that question on the grounds of the first amendment.

Mr. TAVENNER. Were you also in attendance at a convention of the Southern California District held on April 13 and 14, 1957?

Mrs. SILVER. I refuse to answer that on the same grounds.

Mr. TAVENNER. According to the committee's information, you are at present a member of the District Council of the Communist Party for the Southern District of California.

(Witness confers with counsel.)

Mr. TAVENNER. Is that correct?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. The district council is the governing body for this district; is it not?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. At a meeting of the district council on July 27, 1958, a number of controversial questions arose, did they not?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Did not Dorothy Healey, on that occasion, somewhat reverse her earlier position of April 13, 1957, relating to Hungary and other questions and by a minority report oppose many of the declarations of the national leadership of the Communist Party? Isn't that true?

Do you understand the question? It was a rather long one. I will break it down.

Mrs. SILVER. No; I do not.

Mr. TAVENNER. Do you recall a minority report made on July 27, 1958, by Dorothy Healey, to the action of the national committee on various questions?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not oppose her and vote for the majority report which was presented in the form of a report by Eugene Dennis, a form of a report by Bob Thompson, and then in the form of a report on trade unionism?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. You were one of those against Dorothy Healey, were you not, in that meeting?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Have you changed your position since July 27?

Mrs. SILVER. I refuse to discuss my business. I refuse to answer on the same grounds.

Mr. TAVENNER. What are the duties of a review commission of the Communist Party?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Weren't you a member of the Review Commission of the Juarez Division of the Communist Party in the years 1953, 1954, and 1955?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Is it not the duty of such a commission to apply disciplinary action in accordance with the vote of the body?

Mrs. SILVER. Is that a question?

Mr. TAVENNER. Yes.

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Is your present address 319 Oxford Avenue, Los Angeles?

Mrs. SILVER. Yes, it is.

Mr. TAVENNER. At meetings of the Review Commission of the Communist Party, are the members brought before that body permitted to have counsel with them?

Mrs. SILVER. I refuse to answer on the same grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Miss JOSEPHSON. I do.

**TESTIMONY OF JESSIE JOSEPHSON, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN**

Mr. TAVENNER. Will you state your name, please?

Miss JOSEPHSON. Jessie Josephson.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. John T. McTernan, Margolis, McTernan & Branton, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. Are you Miss or Mrs?

Miss JOSEPHSON. Miss.

Mr. TAVENNER. When and where were you born?

Miss JOSEPHSON. Leeds, England.

Mr. TAVENNER. What date?

Miss JOSEPHSON. April 27, 1919.

Mr. TAVENNER. When did you first come to the United States?

Miss JOSEPHSON. I was brought here, I think, in 1923 or 1924.

Mr. TAVENNER. Are you a naturalized American citizen of the United States?

Miss JOSEPHSON. I am a derivative citizen through my parents.

Mr. TAVENNER. You are by way of derivative citizenship?

Miss JOSEPHSON. Right.

Mr. TAVENNER. By virtue of the citizenship of your father?

Miss JOSEPHSON. Yes.

Mr. TAVENNER. What was your father's name?

Miss JOSEPHSON. I think I will decline to answer that, feeling that is an infringement on my right of the first amendment.

Mr. TAVENNER. I haven't asked any question regarding Communist Party interests of your father, but I do want to know the circumstances of your naturalization, and I think I am entitled to receive it. I ask the chairman to direct you to answer.

The CHAIRMAN. You can answer that question. I direct you to answer that question.

Miss JOSEPHSON. Would you repeat the question, please?

Mr. TAVENNER. What was the name of your father? You said you received derivative naturalization through your father. What was his name?

Miss JOSEPHSON. Julius Josephson.

Mr. TAVENNER. When and where was he naturalized?

Miss JOSEPHSON. In Cleveland, Ohio. I am sorry, I forget the exact year—sometime in the twenties; I forget the exact year.

Mr. TAVENNER. When did you first come to California?

Miss JOSEPHSON. In 1947.

Mr. TAVENNER. What is your occupation?

Miss JOSEPHSON. Boxer.

Mr. TAVENNER. Boxer?

Miss JOSEPHSON. Yes, carton boxer.

Mr. TAVENNER. Will you give the committee, please, a statement of your formal educational training?

Miss JOSEPHSON. I went to the 11th grade in high.

Mr. TAVENNER. The committee is informed that the Communist Party of Southern California is governed by a council, a district council composed of 62 persons, and that you are one of those 62 persons. Is it correct that you are a member of that District Council of the Communist Party?

Miss JOSEPHSON. I decline to answer that on the grounds of the first amendment. Secondly, I don't think it is pertinent; and, thirdly, I will not be a witness against myself to incriminate myself.

Mr. TAVENNER. Did you attend the Los Angeles County convention of the Communist Party held January 5 and 6, 1957, as a delegate?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. The committee has received evidence relating to the Communist Party plans in youth organizations. We want to know the extent to which you engaged in the conduct of Communist Party work within youth organizations.

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Were you not in early 1957 a member of the Labor Youth League?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Were you not a member of the Communist Party in early 1957?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Did you attend the Labor Youth League convention of July 14, 16, 21, and 22, 1956, in Los Angeles?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Have you received direction or advice from a Communist Party unit or functionary of the Communist Party to penetrate and work in civic organizations and mass organizations in the community?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Have you not been particularly active in the Community Service Organization which is a non-Communist organization in Los Angeles?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Have you been active in the Los Angeles Rosenberg-Sobell Committee?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. And the Los Angeles Committee for Protection of Foreign Born?

Miss JOSEPHSON. Same answer as given before.

Mr. TAVENNER. The Independent Progressive Party?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. The Civil Rights Congress?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. The Wells Defense Committee?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. And the Eastside Defense Committee?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. According to the committee's information, you were identified by Dennis Lancaster, an F.B.I. operator during the Smith Act trial in Los Angeles in 1952, as a member of the Communist Party. Was he in error?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in 1952?

Miss JOSEPHSON. Same answer as previously given.

Mr. TAVENNER. Are you a member of the Communist Party now?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Is your present address 2739 1/2 Dobinson Street, Los Angeles?

Miss JOSEPHSON. Yes, it is.

Mr. TAVENNER. There was a very important meeting of the Communist Party of the Southern District of California held on July 27, 1958, at which Dorothy Healey made a minority report and Pettis Perry made a majority report. Our information is that you were present at that meeting. Were you?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MACNAIR. I do.

TESTIMONY OF ARCHIBALD MacNAIR, JR., ACCOMPANIED BY COUNSEL, FRANK MUNOZ

Mr. TAVENNER. Will you please state your name?

Mr. MACNAIR. Archibald MacNair, Jr.

Mr. TAVENNER. Spell your last name, please.

Mr. MACNAIR. M-a-c-N-a-i-r.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record?

Mr. MUNOZ. Frank Munoz, 112 West 9th Street.

Mr. TAVENNER. When and where were you born, Mr. MacNair?

Mr. MACNAIR. I was born in Chicago, Ill., in 1921.

Mr. TAVENNER. Where do you reside?

Mr. MACNAIR. 1235 West 68th Street, Los Angeles.

Mr. TAVENNER. West 68th?

Mr. MACNAIR. That is correct.

Mr. TAVENNER. What is your occupation?

Mr. MACNAIR. I am an unemployed laborer.

Mr. TAVENNER. When employed, you are engaged in work of what type?

Mr. MACNAIR. I am a laborer, working in construction.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. MACNAIR. I won't answer that question, relying on my rights under the first amendment, the fifth amendment, and incidentally, I don't think that it is germane or pertinent to the investigation.

Mr. TAVENNER. The committee has evidence resulting from its investigation that you were here at least as long ago as May 1, 1957, because at that time you were present at the May Day Rally sponsored by the Communist Party in the celebration of the Russian Revolution. Do you recall that incident?

Mr. MACNAIR. I refuse to answer that question on the grounds that I have already given.

Mr. TAVENNER. Were you present at the May Day Rally in 1957?

Mr. MACNAIR. Sir, I refuse to answer that question on the grounds that I have cited.

Mr. TAVENNER. Are you a member of a labor union?

(Witness confers with counsel.)

Mr. MACNAIR. I refuse to answer that question on the grounds that I have previously cited.

Mr. TAVENNER. According to the committee's information you are presently the educational director of the Miscellaneous Industrial Section of the Communist Party in the Southern District of California. Are we correct in that statement?

Mr. MACNAIR. I refuse also, sir, to answer this question on the grounds that I have previously cited.

Mr. TAVENNER. Is Bernard Lusher the head of the section which I referred to?

Mr. MACNAIR. I refuse to answer this question on the grounds that I have previously cited.

Mr. TAVENNER. According to the committee's investigation, you were a delegate to the Los Angeles County Communist Party convention held in Los Angeles on January 5 and 6, 1957. Were you a delegate to that convention?

Mr. MACNAIR. I will not answer that question on the same grounds.

Mr. TAVENNER. You were also a delegate, were you not, to the Southern California District convention held on April 13 and 14, 1957?

Mr. MACNAIR. I will not answer this question on the same grounds.

Mr. TAVENNER. Is your principal assignment in the Communist Party now the carrying out of Communist Party directives within the field of labor?

Mr. MACNAIR. I will not answer this question, same grounds.

Mr. TAVENNER. What are the present Communist Party objectives in the field of labor in southern California?

Mr. MACNAIR. I will not answer this question, same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. MACNAIR. I will not answer this question, same grounds.

Mr. TAVENNER. There was a very important meeting of the District Council of the Communist Party for the Southern District of California and certain functionaries on July 27, 1958. Do you recall the occasion?

Mr. MACNAIR. Sir, I will not answer this question on the same grounds that I previously cited.

Mr. TAVENNER. But you were present, were you not?

Mr. MACNAIR. I will not answer this question on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MOSLEY. I do.

TESTIMONY OF CHARLES H. MOSLEY, JR., ACCOMPANIED BY
COUNSEL, FRANK MUNOZ

Mr. TAVENNER. Will you state your name, please?

Mr. MOSLEY. My name is Charles H. Mosley, Jr.

Mr. TAVENNER. Spell your last name.

Mr. MOSLEY. M-o-s-l-e-y.

Mr. TAVENNER. It is noted for the record that the same counsel accompanies this witness as the former witness.

When and where were you born, Mr. Mosley?

Mr. MOSLEY. I decline to answer that question on the grounds of pertinency. I don't think the question is pertinent here.

Mr. TAVENNER. Let me put it this way to you. Were you born in Dallas, Tex., on the 1st day of November 1927?

Mr. MOSLEY. I decline to answer that on the—I take the fifth amendment in declining to answer this question and I also take the first amendment, because I feel that this committee has no right to abridge my freedom of speech, my freedom to think, or anything else. So I decline to answer.

Mr. TAVENNER. In other words, you don't have to answer any question propounded by a congressional committee?

Do you not reside at this time at 3319 Homeside, Los Angeles?

Mr. MOSLEY. I decline also to answer that question on the grounds previously stated.

Mr. TAVENNER. Is not your occupation that of a factory worker?

Mr. MOSLEY. I decline also to answer that question on the grounds previously stated.

Mr. TAVENNER. Will you tell the committee, please, what formal educational training you have had?

Mr. MOSLEY. I also decline to answer that question on the grounds previously stated.

Mr. TAVENNER. According to the committee's investigation, you attended the first convention of the Southern California District Communist Party held in Los Angeles on April 13 and 14, 1957. Is that information correct?

Mr. MOSLEY. I also decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Do you recall either hearing Dorothy Healey deliver a report on trade unionism or have you read her report on trade unionism?

Mr. MOSLEY. I also decline again on the ground previously stated.

Mr. TAVENNER. Did you hear the report made by her or have you read it relating to the requirement that rank and file members of the

Communist Party must engage in Communist Party activities within various mass organizations?

Mr. MOSLEY. I give the same answer. I decline on the previously stated—on the grounds previously stated.

Mr. TAVENNER. You have engaged, have you not, in work in the Labor Youth League?

Mr. MOSLEY. I also decline on the same grounds, the grounds previously stated.

Mr. TAVENNER. Have you at the instance of the Communist Party or a functionary of the Communist Party endeavored to carry on its objectives within the Independent Progressive Party of California?

Mr. MOSLEY. My answer is the same. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of an Independent Progressive Party appointment of members to the State Central Committee in the year 1954 and ask that it be marked "Mosley Exhibit No. 1."

The CHAIRMAN. It will be made a part of the record.

The first of the three names mentioned as members of the executive committee is Charles Mosley.

(Document marked "Mosley Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Have you been active in the affairs of the American Russian Institute?

Mr. MOSLEY. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Have you been active in the affairs of the Civil Rights Congress?

Mr. MOSLEY. I decline to answer that on the same grounds.

Mr. TAVENNER. Information of the committee is that you appeared on August 30, 1950, at a city council meeting where an ordinance was being proposed to have members of the Communist Party register and you expressed strong opposition to it.

My first question is, Were you sent by the Communist Party to make such an objection?

Mr. MOSLEY. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. In referring again to the work of the Labor Youth League, were you not a member of the Educational Committee of the Los Angeles Labor Youth League in 1957?

Mr. MOSLEY. I also give the same answer. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. MOSLEY. The answer is the same. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PADILLA. I do.

TESTIMONY OF FELIX PADILLA, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please, sir?

Mr. PADILLA. P-a-d-i-l-l-a.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. When and where were you born, Mr. Padilla?

Mr. PADILLA. I was born in Puerto Rico.

Mr. TAVENNER. When?

Mr. PADILLA. On May 18, 1907.

Mr. TAVENNER. Where do you reside? Where do you live?

Mr. PADILLA. What do you mean, in Puerto Rico?

Mr. TAVENNER. Here in Los Angeles now?

Mr. PADILLA. 2116 Glendale Boulevard.

Mr. TAVENNER. Are you currently a member of the Communist Party? Are you a member of the Communist Party at this time?

Mr. PADILLA. I refuse to answer that question on the grounds of the first amendment.

Mr. TAVENNER. How long have you resided in Los Angeles County?

Mr. PADILLA. Ten years.

Mr. TAVENNER. Were you engaged in the work of the Communist Party in Puerto Rico?

Mr. PADILLA. I refuse to answer that question on the first amendment, same grounds.

Mr. TAVENNER. Has your work in the Communist Party been concentrated or centered in the field of Mexican-American population?

Mr. PADILLA. Like I previously say, I refuse to answer any questions like this on the grounds of the first amendment and the fifth amendment.

Mr. TAVENNER. As a matter of fact, in 1949 weren't you a member of the National Association of Mexican-Americans?

Mr. PADILLA. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I offer in evidence a thermofax copy of the November 10, 1949, issue of the People's World and the February 10, 1950, issue of the People's World and ask that they be marked "Padilla Exhibits Nos. 1 and 2," respectively.

The CHAIRMAN. They will be made a part of the record.

(Documents marked "Padilla Exhibits Nos. 1 and 2" and retained in committee file.)

Mr. TAVENNER. Both of these articles refer to Mr. Padilla as the Mexican-American National Association—as being of that association.

Are you familiar with an organization called the Trade Union Action Conference for Peace?

Mr. PADILLA. Like I say before, I am not here just on the grounds of my first amendment, invoking the first and fifth amendments to tell you, to say that I don't belong to any of those things, on the grounds of the first and fifth amendment I refuse to answer.

Mr. TAVENNER. Were you not a sponsor of this conference?

Mr. PADILLA. Like previously, I say I refuse to answer any questions regarding to those type on the grounds of the first and fifth amendments.

(Counsel confers with witness.)

Mr. TAVENNER. Are you familiar with an organization called the Trade Union Defense Committee?

Mr. PADILLA. Again I refuse to answer on the previous grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an article from the March 24, 1952, issue of the People's World and ask that it be marked as "Padilla Exhibit No. 3."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Padilla Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. Were you a member of, or did you participate in, any of the meetings of the California Emergency Defense Committee?

Mr. PADILLA. Again I refuse to answer on the same previous grounds of the first and fifth amendments.

Mr. TAVENNER. Will you state whether or not it was the purpose of this committee to support the Smith Act defendants in southern California?

Mr. PADILLA. Again, I refuse to answer on the same previous grounds.

Mr. TAVENNER. In January of 1953 were you assigned to the West Lake Club of the Independent Progressive Party?

Mr. PADILLA. Again, I refuse to answer on the same grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Los Angeles Committee for Protection of Foreign Born?

Mr. PADILLA. Again, I refuse to answer on the previous grounds.

Mr. TAVENNER. Were you a member of the Marxist Institute of Los Angeles County?

Mr. PADILLA. I refuse to answer the question on the same previous grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. PADILLA. Again, I have to refuse and decline to answer that question on the same previous grounds.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KATZ. I do.

TESTIMONY OF ELI KATZ, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mr. KATZ. Eli Katz.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. When and where were you born, Mr. Katz?

Mr. KATZ. I was born on August 10, 1928, in Brooklyn, N.Y.

Mr. TAVENNER. Where do you now reside?

Mr. KATZ. 827 North Benton Way, Los Angeles.

Mr. TAVENNER. When did you come to the State of California for the purpose of making this your permanent residence?

Mr. KATZ. 1953.

Mr. TAVENNER. Have you lived here continuously since that date?

Mr. KATZ. Yes.

Mr. TAVENNER. What is your occupation?

Mr. KATZ. I am a lithographer.

Mr. TAVENNER. How long have you been a lithographer?

Mr. KATZ. Approximately 10 years.

Mr. TAVENNER. Will you state what your formal educational training has been?

Mr. KATZ. I think that I am going to decline this question because I feel that it has no pertinency to any legislative purpose of this committee, because I feel that the field of education is one particularly in which ideas are important and that the committee has no right under the Constitution to legislate in the field of ideas, and because I feel that giving information of this sort might tend to incriminate me.

Mr. TAVENNER. Are you familiar with the structure of the Communist Party of the Southern District of California?

Mr. KATZ. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you not a member of the governing body, that is, the District Council of the Communist Party for the Southern District of California?

Mr. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you a delegate to the Los Angeles County Communist Party convention on January 5 and 6, 1957?

Mr. KATZ. I shall have to give the same answer.

Mr. TAVENNER. And also to the California State convention of the Communist Party on January 19 and 20, 1957?

Mr. KATZ. I decline to answer on the same grounds.

Mr. TAVENNER. The committee has learned from the proceedings at these conventions which I have asked you about the importance to the Communist Party of its contemplated activities in the field of youth. Have you been engaged in any Communist Party activities at the request of the Communist Party or any functionary thereof in this important field?

Mr. KATZ. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Were you not on July 14, 1956, in attendance at the Labor Youth League convention held in Los Angeles where you were elected to serve on the presiding committee?

Mr. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you not also present at the convention of July 16, 17, 18, and 22, 1956, of the Labor Youth League?

Mr. KATZ. I still must decline to answer on the same grounds.

Mr. TAVENNER. Were you not nominated on July 22 to serve as Labor Youth League chairman of Los Angeles County?

Mr. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Our information is that you declined the nomination.

Mr. KATZ. I have no comment.

Mr. TAVENNER. I think you have anticipated me and you have answered.

The CHAIRMAN. I didn't hear you.

Mr. TAVENNER. He said "I have no comment."

The CHAIRMAN. I heard that.

Mr. TAVENNER. I would like you to state in all modesty, are you considered an expert on Marxism?

Mr. KATZ. Well——

Mr. TAVENNER. No comment?

Mr. KATZ. I will decline to answer that question, although I think it is rather humorous, on the same grounds.

Mr. TAVENNER. Well, haven't you served as an instructor in a series of classes which began April 24, 1956, on political economy by the Communist Party?

Mr. KATZ. I, of course, refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you participate in the activities of the Los Angeles Committee to Secure Justice in the Rosenberg Case?

Mr. KATZ. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. KATZ. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness will be excused.

(Whereupon, at 5:35 p.m., Thursday, September 4, the committee recessed until 9:30 a.m. Friday, September 5, 1958.)

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

FRIDAY, SEPTEMBER 5, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, California.

EXECUTIVE SESSION ¹

The subcommittee met, pursuant to recess, at 9:45 a.m. in Room 229, Federal Building, Los Angeles, California, Honorable Francis E. Walter (chairman) presiding.

Present: Representatives Francis E. Walter, of Pennsylvania, and Morgan M. Moulder, of Missouri.

Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHEELER. I do.

TESTIMONY OF WILLIAM A. WHEELER, INVESTIGATOR, UN-AMERICAN ACTIVITIES COMMITTEE

The CHAIRMAN. Your name is William A. Wheeler, and you are an investigator of the Committee on Un-American Activities?

Mr. WHEELER. Yes, sir.

The CHAIRMAN. On the 2nd of September did you call the witness, Don Wheeldin?

Mr. WHEELER. I did, sir.

The CHAIRMAN. Where did you make the call?

Mr. WHEELER. In the room adjoining our hearing room here.

The CHAIRMAN. That is where the witnesses have been instructed to report to before they are called?

Mr. WHEELER. They have not been instructed to report there, sir. It's been made available to them to wait there until they are called.

The CHAIRMAN. That is the room in which all of the witnesses who have testified have been meeting?

Mr. WHEELER. That is correct.

¹ Released by the committee and ordered to be printed.

The CHAIRMAN. Did Mr. Wheeldin answer the call?

Mr. WHEELER. No, sir.

The CHAIRMAN. Do you know Wheeldin by sight?

Mr. WHEELER. I do not. Oh, yes, I do.

The CHAIRMAN. Did you see him there?

Mr. WHEELER. No, I did not.

The CHAIRMAN. Was he there?

Mr. WHEELER. No, sir. In response to calling Mr. Wheeldin, Mr. Al Wirin responded to the call, as well as another attorney, Loren Miller.

The CHAIRMAN. Did they make any explanation about his whereabouts?

Mr. WHEELER. Not to me, sir, no. I was told that he was not present, but where he was they did not say.

The CHAIRMAN. At this point we will introduce the subpoena served on such and such a day on this man.

Mr. TAVENNER. It was served the 31st day of July.

The CHAIRMAN. And pursuant to which his two attorneys appeared at the hearing.

Mr. TAVENNER. May the exhibit be marked "Donald Wheeldin Exhibit No. 1."

(Donald Wheeldin Exhibit No. 1 consists of the subpoena and the return thereon.)

Mr. TAVENNER. Jerry Atinsky.

The CHAIRMAN. Will you raise your right hand, please, and swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ATINSKY. I do.

TESTIMONY OF JERRY ATINSKY, ACCOMPANIED BY COUNSEL, SEYMOUR MANDEL

Mr. TAVENNER. Will you state your name, please, sir?

Mr. ATINSKY. Jerry Atinsky.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel. Will he please identify himself for the record?

Mr. MANDEL. The witness' counsel is Seymour Mandel.

The CHAIRMAN. I did not get the witness' name.

Mr. MANDEL. Jerry Atinsky, and I would like to make a request that the name of the witness not be divulged to the press in view of the statement that you, the chairman, made yesterday, that you wished to protect the names of the witnesses.

Mr. TAVENNER. When and where were you born, Mr. Atinsky?

Mr. ATINSKY. October 9, 1917, Milwaukee, Wis.

Mr. TAVENNER. What is your occupation?

Mr. ATINSKY. Parking lot operator, although you know that, because I was served on the job.

The CHAIRMAN. We don't know that.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. ATINSKY. I came in 1936.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. ATINSKY. Three years high school.

Mr. TAVENNER. Have you served in the Armed Forces of the United States.

Mr. ATINSKY. Yes.

Mr. TAVENNER. Over what period of time?

Mr. ATINSKY. 1941 to 1945, 3½ years in the Navy.

Mr. TAVENNER. You received an honorable discharge?

Mr. ATINSKY. Yes, sir.

Mr. TAVENNER. Mr. Atinsky, it is the committee's information that you are at this time a member of the District Council of the Communist Party for the Southern District of California. Is that correct?

Mr. ATINSKY. I decline to answer this question on the following grounds: The first amendment, the fourth, the fifth amendment, the sixth, the ninth, the tenth amendment and the lack of pertinency.

Mr. TAVENNER. Will you tell the committee, please, whether you know the present membership of the Communist Party in the Southern District of California?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. MANDEL. May it be stipulated at this time that the additional grounds for each declination will be the same as originally stated, word for word?

The CHAIRMAN. Yes; it will be stipulated that when the witness declines to answer the question, the reasons for the declination are those originally stated.

Mr. MANDEL. Thank you, Mr. Chairman.

Mr. TAVENNER. Did you attend as a delegate the Los Angeles County Communist Party convention held in Los Angeles in January of 1957?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Did you attend a convention of the Communist Party of the Southern District of the State of California held on April 13 and 14, 1957, in Los Angeles?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. It is the committee's information that Dorothy Healey, chairman of the Communist Party for the Southern District of California, made a report at that convention—did you hear the report or have you read it since that convention?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Are you aware of the action taken by Dorothy Healey in the convention in soft-pedaling the Hungarian question?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Did you later attend a meeting of the district council on July 27, 1958, in which her position had been largely reversed on that question?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. The committee does not understand that you were present at that meeting, but I want to know whether or not you learned of the action that was taken. That is, did you learn either on a section level or any other level of the action that was taken at the meeting of July 27, 1958?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. In addition to your occupation that you described as being a parking lot owner—

Mr. MANDEL. Operator.

Mr. TAVENNER. —operator, has the Communist Party utilized your services over a period of years in entertaining Communist Party groups or organizations being sponsored by the Communist Party?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. You are a folk singer, are you not?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Did you participate in "Songs for Peace and Russia" program sponsored by the Southern California Peace Crusade on February 21, 1954, at the Park Manor, 607 S. Western Avenue?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you entertain at a function held on March 28, 1953, at 325 1/2 South Union Avenue sponsored by the Echo Park Chapter of the Civil Rights Congress?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. You were at that date, that is in 1953, a member of the Echo Park Chapter of the Civil Rights Congress, were you not?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you entertain at a meeting at 3670 Colonial Avenue, West Los Angeles, on July 10, 1954, the purpose of which was to meet the Smith Act defendants?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you receive directions or encouragement from any Communist Party unit or functionary of the Communist Party to take part in the work of the Los Angeles Rosenberg-Sobell Committee?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not entertain at the West Lake Chapter of the Los Angeles Rosenberg-Sobell Committee held on March 6, 1954?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you become active in the Independent Progressive Party of California as a part of your Communist Party duties?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you entertain at a meeting sponsored by the Independent Progressive Party of Los Angeles at the Cosmopolitan Hotel, 360 South West Lake Avenue, Los Angeles, where the meeting discussed the topic of Guatemala and peace?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you take part, by way of entertaining, in a meeting held on July 10, 1954, at Venice, California, in a meeting entitled, "Greet the Smith Act Defendants on Eve of Appeal," where funds were being raised for the Smith Act defendants?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Is there a branch of the Arts, Sciences and Professions Council known as the Song Makers of that organization?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of it?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence thermofax copy of a program of the First Unitarian Church of Los Angeles for November 25, 1956, showing Jerry Atinsky on the program held on that occasion.

The CHAIRMAN. I just received a letter from somebody mentioning that church. Is that located at 2936 West 8th Street, Los Angeles? It does not matter. Mark that and make it a part of the record.

(Document marked "Atinsky Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. I offer in evidence, and ask that it be marked as "Atinsky Exhibit No. 2," a thermofax copy of a flyer advertising songs by the Song Makers of the Arts, Sciences and Professions Council of Southern California, featuring Jerry Atinsky and others.

The CHAIRMAN. It will be made a part of the record.

(Document marked "Atinsky Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. Will you examine the exhibit, please, and state whether or not you performed at the time indicated by the flyer?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Song Makers of the Arts, Sciences and Professions Council at the time and date of that exhibit?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not also entertain for the East Hollywood Civil Rights Congress on January 22, 1955?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I asked you a question a little while ago regarding your connection with the Rosenberg-Sobell Committee of Los Angeles. Did you not participate in community singing for the benefit of that committee on April 26, 1956?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I desire to offer in evidence, and ask that it be marked "Atinsky Exhibit No. 3," a thermofax copy of the April 26, 1956, issue of the People's World. This article is entitled, "Community Sing' to Aid Sobell Fight."

(Document marked "Atinsky Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. The article is as follows:

A "Community Sing" to aid the fight to free Morton Sobell co-defendant with Ethel and Julius Rosenberg in the trumped-up "spy" trial and now a prisoner at Alcatraz, will be held here May 5.

The sing to be led by Jerry Atinsky and others, will be held at 8729 Hollywood dr.

Did you participate in that program?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Will you tell the committee whether or not as part of its plan, of the Communist Party's infiltration into various strata of society in this community, it is the plan to use Communist Party members gifted in entertainment to perform on various occasions?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Are Communist Party members talented in regard to entertainment used for the purpose of raising funds for Communist Party purposes in this area?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I believe earlier in my questioning I indicated that, according to the committee's information, you were not present on July 27, 1958, at the meeting of the district council. I find I am in error in that and that, according to the committee's information, you

were present. Therefore, I want to ask you whether or not that is correct.

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BYLER. I do.

The CHAIRMAN. Sit down, please.

TESTIMONY OF MARGARETE ANN BYLER, ACCOMPANIED BY
COUNSEL, SEYMOUR MANDEL

Mr. TAVENNER. What is your name?

Mrs. BYLER. Margarete Byler.

Mr. TAVENNER. Are you also known by the name Ann?

Mrs. BYLER. Yes; that is my nickname.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MANDEL. Witness's counsel is Seymour Mandel. Excuse me. And counsel makes the same request, that the name of this witness not be divulged by the committee nor its staff.

The CHAIRMAN. All right.

Mr. TAVENNER. Where do you reside?

Mrs. BYLER. 999 North Madison Avenue, Pasadena.

Mr. TAVENNER. When and where were you born?

Mrs. BYLER. I decline to answer the question on the basis of the fifth amendment.

Mr. TAVENNER. Were you born in Germany?

Mr. MANDEL. Would you permit her to give her grounds of declination?

Mr. TAVENNER. I thought she had finished.

Mrs. BYLER. On account of the first amendment, the fourth, the fifth, the sixth, ninth, and the tenth.

Mr. TAVENNER. Isn't it a fact that you were born in Germany?

Mrs. BYLER. I have to decline on the same basis to answer the question.

Mr. MANDEL. And counsel requests that the same stipulation as to the prior witness be incorporated herein, that all the grounds are accepted as if repeated word for word.

The CHAIRMAN. Yes; let that be understood.

Mr. MANDEL. Thank you.

Mr. TAVENNER. Are you a naturalized American citizen?

Mrs. BYLER. I have to decline to answer on the same grounds.

Mr. TAVENNER. As a matter of fact, were you not born under the name of Margarete Ann Haller on June 14, 1909, in Hamuthsachsen, Germany?

Mrs. BYLER. I decline to answer all these questions on the same grounds as I stated before.

Mr. TAVENNER. Were you not naturalized as a citizen of the United States in Los Angeles on July 12, 1940?

Mrs. BYLER. I decline on the same grounds as before.

Mr. TAVENNER. Is it not also a fact that you were a member of the Communist Party before the date of your naturalization?

Mrs. BYLER. I decline to answer on the same grounds as stated before.

Mr. TAVENNER. Did you attend a meeting of the Southern California District convention of the Communist Party held April 13 and 14, 1957, in Los Angeles?

Mrs. BYLER. I decline to answer the question on the basis as stated before.

Mr. TAVENNER. Have you not been assigned to carry out the Communist Party duty of working within the Independent Progressive Party of California and various community organizations?

Mrs. BYLER. I decline to answer on the same grounds as stated before.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of the Independent Progressive Party of California petition to participate in the primary election of June 1, 1948, and ask it be marked "Byler Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

Mr. MANDEL. I would like to register an objection to the introduction on the ground that it is irrelevant and immaterial.

The CHAIRMAN. All right.

(Document marked "Byler Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. I will ask the witness to examine the affidavit appearing at the end of the petition over the name of Mrs. Margarete Byler and ask whether or not that is her signature.

Mrs. BYLER. I decline on the same basis as stated before.

Mr. TAVENNER. Did you circulate that petition?

Mrs. BYLER. I have to repeat, declining to answer on the grounds as stated before.

Mr. TAVENNER. Were you active in the formation of the Independent Progressive Party in the State of California?

Mrs. BYLER. I decline on the same basis as stated before.

Mr. TAVENNER. Did you not accept as a Communist Party assignment participation in the Stockholm Peace Petition drive during the year 1950?

Mrs. BYLER. I have to decline on the same basis as stated before.

Mr. TAVENNER. I offer in evidence, Mr. Chairman, a thermofax copy of an excerpt from the August 10, 1950, issue of the People's World and ask that it be marked "Byler Exhibit No. 2." It refers to the activity of Ann Byler, Wheeldin, and others.

The CHAIRMAN. Make it a part of the record.

Mr. MANDEL. I object on the ground previously stated.

The CHAIRMAN. All right.

(Document marked "Byler Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. BYLER. I decline to answer the question on the same basis as stated before.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Any questions, Judge Moulder?

Mr. MOULDER. No.

The CHAIRMAN. The witness is excused.

Will you come around here, please, and raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. JACKSON. I do.

**TESTIMONY OF ELIZABETH RICARDO JACKSON, ACCOMPANIED BY
COUNSEL, ROBERT L. BOAGS**

Mr. TAVENNER. What is your name, please?

Mrs. JACKSON. Elizabeth Jackson.

Mr. TAVENNER. A subpoena was issued for you under the name of Elizabeth Ricardo, I believe. You are the same person as Elizabeth Ricardo, are you not?

Mrs. JACKSON. Yes, I am.

Mr. TAVENNER. When were you married?

(The witness confers with her counsel.)

Mrs. JACKSON. October 19, 1957.

Mr. TAVENNER. Where do you reside?

Mrs. JACKSON. My mailing address is 1105 East Vernon Avenue. I formerly resided at 951 Irolo Street.

Mr. TAVENNER. What was your maiden name?

(The witness confers with her counsel.)

Mrs. JACKSON. I decline to answer the question on the ground that it violates my constitutional right against self-incrimination, as well as it violates my constitutional right of free speech and association under the first amendment.

Mr. TAVENNER. Now I have asked you merely for the name under which you were born. Do you honestly believe that to answer that question truthfully might tend to incriminate you?

Mrs. JACKSON. Yes, I do.

Mr. MOULDER. Which name is correct, Mr. Chairman, Ricardo or Jackson?

Mrs. JACKSON. My present name is now Elizabeth Jackson.

The CHAIRMAN. When did you become Jackson?

Mrs. JACKSON. October 19, 1957.

The CHAIRMAN. Was your name before that Ricardo?

Mrs. JACKSON. Yes, sir.

Mr. TAVENNER. But Ricardo was your married name prior to your marriage to Jackson. Isn't that true?

Mrs. JACKSON. That is right.

Mr. TAVENNER. Now I am asking what your maiden name was.

Mrs. JACKSON. I have declined to answer that question.

Mr. TAVENNER. Wasn't it Elizabeth Smith?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Weren't you born at Stamford, Conn.?

Mrs. JACKSON. I decline to answer.

Mr. TAVENNER. What was the date of your birth?

Mrs. JACKSON. I decline to answer that question as previously stated.

Mr. TAVENNER. Wasn't it November the 13th, 1913?

Mrs. JACKSON. I decline to answer.

Mr. TAVENNER. The committee is very much interested in finding in the course of its investigation of Communist Party activities in this

area that you signed a letter on December 14, 1957, which was a statement of grievances against the leadership of the Communist Party and that that letter was addressed to the National Committee of the Communist Party. We are familiar with the contents of that letter. We know also that the letter was answered by a report made by Dorothy Healey, which she circulated among all of the sections of the Communist Party so that it could be considered and studied on a section level; but notwithstanding her reply, a number of those who signed the letter of December 14 resigned from the Communist Party and executed a letter tendering their resignation.

We do not find anything indicating you resigned from the Communist Party; so I want to know what happened between December 14, 1957, and March 26, 1958, to change your opinion regarding your complaint against the leadership, national leadership, of the Communist Party.

Mrs. JACKSON. I decline to answer the question on the ground that it violates my constitutional right against self-incrimination, as well as it violates my constitutional right of free speech and association under the first amendment.

Mr. TAVENNER. You are aware of the fact, are you not, that there was great opposition by the Communist Party leadership in this area to Dorothy Healey's leadership of the Communist Party, are you not?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. You are also aware of the fact that Pettis Perry advised the leadership of the Communist Party in this area that it was their duty to support the national leadership of the Communist Party, are you not?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Did that have anything to do with your changing your mind about resigning from the Communist Party?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. What pressure was brought upon you to change your views as expressed in the letter of December 14?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You were a member of the Moranda Smith Section of the Communist Party on December 14, 1957, were you not?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you sign the letter of grievances of December 14, 1957, with the name "Elizabeth" and then the statement, "Moranda Smith," meaning the Moranda Smith Section of the Communist Party?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You have been active on the staff of the Daily People's World, haven't you?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Was any pressure brought upon you as a member of that staff to cause you to change the decisions reached on December 14, 1957, as indicated in the letter of grievances?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You had been, for a long time, an active member in the Los Angeles Chapter of the Civil Rights Congress, had you not?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. And also in the Independent Progressive Party of the State of California?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Your particular assignment to the Independent Progressive Party was in the Olympic Club of that party; was it not?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you attend as a delegate the Southern California District convention of the Communist Party held on April 13 and 14, 1957?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you also a delegate to the Los Angeles County Communist Party convention held on January 5 and 6, 1957?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Is your present occupation solely that of housewife?

Mrs. JACKSON. I decline to answer on the grounds that it violates my constitutional right against self-incrimination, as well as it violates my constitutional right of free speech and association under the first amendment.

Mr. TAVENNER. I have no further question.

The CHAIRMAN. The witness is excused.

Mr. TAVENNER. Just a moment, please. My attention is called to the fact that I failed to ask counsel for the witness to identify himself for the record.

Mr. BOAGS. I am the attorney. My name is Robert L. Boags.

Mr. TAVENNER. You were with the witness during the entire time of her testimony; were you not?

Mr. BOAGS. Yes; I was.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PACIFICO. I do.

TESTIMONY OF OLA ROSS PACIFICO, ACCOMPANIED BY COUNSEL,
ROSE S. ROSENBERG

Mr. TAVENNER. Will you state your name, please?

Mrs. PACIFICO. Mrs. Ola Ross Pacifico.

Mr. TAVENNER. Will you spell your last name?

Mrs. PACIFICO. P-a-c-i-f-i-c-o.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Mrs. ROSENBERG. My name is Rose S. Rosenberg.

Mr. TAVENNER. Does your middle name, Ross, indicate that that was your maiden name?

Mrs. PACIFICO. Yes.

Mr. TAVENNER. When and where were you born, Mrs. Pacifico?

Mrs. PACIFICO. I was born September 7, 1902, in the rural area of Oklahoma. I believe it is listed as Blaine County now.

Mr. TAVENNER. Where do you now reside?

Mrs. PACIFICO. 11148 Condon Avenue, Inglewood.

Mr. TAVENNER. California?

Mrs. PACIFICO. California.

Mr. TAVENNER. When did you first come to the State of California to make it the place of your permanent residence?

Mrs. PACIFICO. 1946.

Mr. TAVENNER. What is your occupation?

Mrs. PACIFICO. I am a nurse.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. PACIFICO. I graduated from Teachers College in Oklahoma and took a bachelor's degree in sociology, University of Chicago, and a master's degree in public health at Columbia University in New York.

Mr. TAVENNER. When were you awarded that degree?

Mrs. PACIFICO. 1946. I also am a graduate nurse, and I graduated from the Cook County School of Nursing in 1933.

Mr. TAVENNER. Mrs. Pacifico, the committee has learned of the reorganization of the Communists in the southern part of California. We understand now that there are two districts in California, the Northern and Southern Districts of the Communist Party, and that the governing body of the Southern District of California, of the California Communist Party, is a district council composed of 62 members. We understand that you are one of those district council members. Are you?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Will you tell this committee how this council functions and what its duties are?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. We understand that the membership in this council is made up of representatives from various sections of the Communist Party. Of what section are you a member?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a delegate to the California State convention of the Communist Party held January 19 and 20, 1957—

Mrs. PACIFICO. I refuse to answer on the grounds of the first amendment.

Mr. TAVENNER. Just a moment.—which outlined the course that this reorganization should take?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Have you been a member of the Communist Party for a long time?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you discharged as a city employee in 1949 because of your refusal to sign the loyalty oath?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Communist Party in 1951?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. We have learned of the Communist Party assignments of numerous members of the Communist Party to carry on activities within various mass organizations and among some organizations which are specifically sponsored by the Communist Party. Have you accepted any assignment of that kind?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Have you been active in the Independent Progressive Party of the State of California?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Our investigation discloses that you have been a member of the Civil Rights Congress. Is that correct?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Southern California Committee Against Re-Nazification of Germany?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you an employee in 1949 of the Los Angeles City Health Department?

Mrs. PACIFICO. May I seek the advice of my counsel?

Mr. TAVENNER. Surely.

(The witness confers with her counsel.)

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Do you have any questions, Mr. Moulder?

Mr. MOULDER. No.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAZER. Yes.

TESTIMONY OF HENRY SAZER, ACCOMPANIED BY COUNSEL,
ROSE S. ROSENBERG

Mr. TAVENNER. Will you state your name, please?

Mr. SAZER. Henry Sazer.

Mr. TAVENNER. Will you spell your last name?

Mr. SAZER. S-a-z-e-r.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Mrs. ROSENBERG. My name is Rose S. Rosenberg.

Mr. TAVENNER. Where do you reside, Mr. Sazer?

Mr. SAZER. You have my address there.

Mr. TAVENNER. Will you state it?

Mr. SAZER. 1662 Mohawk Street, L. A. 26.

Mr. TAVENNER. Los Angeles?

Mr. SAZER. Yes.

Mr. TAVENNER. When and where were you born, sir?

Mr. SAZER. Russia, 1896.

Mr. TAVENNER. When did you first come to the United States?

(The witness confers with his counsel.)

Mr. SAZER. In August of 1913.

Mr. TAVENNER. Are you a naturalized United States citizen?

Mr. SAZER. Yes, sir.

Mr. TAVENNER. When and where were you naturalized?

Mr. SAZER. 1921, Cleveland, Ohio.

Mr. TAVENNER. What is your occupation?

Mr. SAZER. I am a cap maker, making caps and hats.

Mr. TAVENNER. Mr. Sazer, did you attend a meeting of the [Southern California] District Council of the Communist Party on July 27, 1958?

Mr. SAZER. I don't see what difference it makes to this committee whether I did or did not attend such a meeting.

Mr. TAVENNER. Well, if you attended that meeting, you are in a position to advise this committee as to some of the things that occurred there.

Mr. SAZER. I don't think the committee has a right to inquire into my activities or associations. In fact, I believe that you are putting the problem upside down. I think it is my right as a citizen to inquire into the activities of my representatives instead of my representatives inquiring into my activities and associations. I don't think you have a right to do that. Who are you?

Mr. TAVENNER. I am counsel for the committee. My name is Frank Tavenner. Now will you answer the question?

Mr. SAZER. I will not answer the question.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. I direct you to answer the question.

Mr. SAZER. I will have to resort to the protection given me under the Constitution under the first and fifth amendments of the Constitution.

Mr. TAVENNER. Did not Dorothy Healey make a minority report at that meeting in which she criticized severely the national leadership of the Communist Party?

Mr. SAZER. I still challenge your right to inquire.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. The witness is directed to answer the question.

Mr. SAZER. As already stated, the first and fifth amendments.

Mr. TAVENNER. After the completion of her report, did not Pettis Perry, who was at the time a member of the National Committee of the Communist Party from the Southern District of California, oppose the report made by Dorothy Healey and tell the members present that it was their duty to support the national leadership's decisions?

Mr. SAZER. I did not say whether I did or did not attend that meeting. Therefore this question, I think, is just out of order.

Mr. TAVENNER. May I ask that the witness be required to answer?

The CHAIRMAN. You are directed to answer the question.

Mr. SAZER. I claim protection of the first and fifth amendments.

Mr. TAVENNER. Did you not take the floor at that meeting yourself and agree with Pettis Perry and state that the leadership of the Communist Party in the Southern District of California is no good and that it should be replaced?

Mr. SAZER. My answer as previously stated.

Mr. TAVENNER. Are you a supporter of the national leadership of the Communist Party?

Mr. SAZER. Still as previously stated.

Mr. TAVENNER. Are you influenced in Communist Party decisions by the position taken by the Soviet Union on what the Communist Party of the United States should do?

Mr. SAZER. I still challenge the right of the committee to inquire into my activities and associations.

Mr. TAVENNER. May I ask the witness be required to answer?

The CHAIRMAN. You are directed to answer that question.

Mr. SAZER. I claim the first and fifth amendments. That's what you want, don't you?

Mr. TAVENNER. No. We want you to answer the question.

Mr. SAZER. I don't think you do.

The CHAIRMAN. Why don't you try it and find out?

Mr. SAZER. Because lots of things that you do don't correspond—that you say don't correspond with facts. For example, you say in this morning's paper that you are interested in protecting people's jobs, and at the same time the police officer served a subpoena on my job in the presence of my employer. That doesn't add any prestige to the committee, in my eyes at least.

The CHAIRMAN. Let's not get into a discussion of prestige. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Our records indicate that you attended the Los Angeles County convention of the Communist Party held January 5 and 6, 1957. Did you do so?

Mr. SAZER. I challenge the right of the committee to inquire into any activities.

Mr. TAVENNER. Are you refusing to answer the question?

Mr. SAZER. Yes, sir; under the first and fifth amendments.

Mr. TAVENNER. I would also like to ask you if you attended the California State convention meeting held on January 19 and 20, 1957?

Mr. SAZER. Same answer.

Mr. TAVENNER. Of what union are you a member?

Mr. SAZER. I decline to state.

Mr. TAVENNER. You decline to state?

Mr. SAZER. That is right.

Mr. TAVENNER. Have you, at the instance of the Communist Party, engaged in Communist Party activities or endeavored to do so within your union?

Mr. SAZER. I decline to answer.

Mr. TAVENNER. Have you been active in the American Jewish Labor Council?

Mr. SAZER. Same challenge, same answer, the first and fifth.

Mr. TAVENNER. Were you not executive secretary of that organization?

Mr. SAZER. I decline to answer on the first and fifth.

Mr. TAVENNER. Isn't it the purpose of that organization to advance the cause of communism in this area?

Mr. SAZER. Same challenge, same answer, on the first and fifth.

Mr. TAVENNER. Have you been active in the work of the Los Angeles Committee for Protection of Foreign Born?

Mr. SAZER. Same challenge, same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SAZER. Same answer, same challenge, the first and fifth.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Call another witness.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. VALLENS. I do.

**TESTIMONY OF VIVIAN VALLENS, ACCOMPANIED BY COUNSEL,
BEN MARGOLIS**

Mr. TAVENNER. What is your name, please?

Mrs. VALLENS. Vivian Val lens.

Mr. TAVENNER. Will you spell your name?

Mrs. VALLENS. V-i-v-i-a-n V-a-l-l-e-n-s.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis of the California Bar.

Are you Miss or Mrs.?

Mrs. VALLENS. Mrs.

Mr. TAVENNER. What was your maiden name?

Mrs. VALLENS. Meyerowitz.

Mr. TAVENNER. Where do you reside?

Mrs. VALLENS. 9143 South Vicki Drive.

Mr. TAVENNER. When and where were you born?

Mrs. VALLENS. New York City, February 5, 1930.

Mr. TAVENNER. When did you move to California with a view to making it the place of your permanent residence?

Mrs. VALLENS. 1944.

Mr. TAVENNER. What is your occupation?

Mrs. VALLENS. Housewife.

Mr. TAVENNER. Have you had any occupation other than that?

Mrs. VALLENS. I have worked as a bookkeeper.

Mr. TAVENNER. I heard that you were an assembler. Was that correct? Were you employed as an assembler?

Mrs. VALLENS. I think I have had a job at one time as an assembler.

Mr. TAVENNER. When was that?

Mrs. VALLENS. Several years back.

Mr. TAVENNER. What was the general nature of that?

Mrs. VALLENS. I fail to see what this has to do with this. I don't see the pertinency of that question. I fail to see, whether I was in assembly, what that has to do with this particular investigation.

Mr. TAVENNER. It is a matter of identification.

Mrs. VALLENS. Well, I am Vivian Vallens, and I am me. That identifies me.

Mr. TAVENNER. What is the nature of the work of an assembler?

Mrs. VALLENS. I still fail to see what that has to do.

Mr. TAVENNER. May I have a direction, Mr. Chairman?

The CHAIRMAN. You are directed to answer the question. I don't know what the purpose is.

Mrs. VALLENS. I fail—

(The witness confers with her counsel.)

Mrs. VALLENS. If Mr. Chairman doesn't know what the purpose is—

The CHAIRMAN. But I think that counsel does. So it is a preliminary question, and I think you ought to answer it.

Mrs. VALLENS. I can barely hear you.

The CHAIRMAN. I direct you to answer the question.

Mrs. VALLENS. Would you re-ask the original question, please?

Mr. TAVENNER. Yes. What general type of work were you engaged in as an assembler?

Mrs. VALLENS. Assembling parts for television sets.

Mr. TAVENNER. The committee, in the course of its investigation, has learned that there has been a reorganization of the Communist Party in southern California; that, organizationally speaking, the area is now within the Southern District of California of the Communist Party; and that that area is governed by a district council composed of 62 members. The committee is also informed that you are a member of that district council. Is that correct?

Mrs. VALLENS. I refuse to answer that question on the basis of the first amendment to the Constitution, which says that Congress shall make no law abridging freedom of speech and press or the right for people to petition. I further decline to answer that question on the basis of the fifth amendment, which says that no person can be compelled to testify against himself.

Mr. TAVENNER. Did you attend—

Mr. MARGOLIS. The witness has a ground.

Mrs. VALLENS. I also don't feel that that question is pertinent.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been, your formal education?

Mrs. VALLENS. My formal education?

Mr. TAVENNER. Yes.

Mrs. VALLENS. I went to grammar school, high school, and one semester of college.

Mr. TAVENNER. Where did you attend college?

Mrs. VALLENS. UCLA.

The CHAIRMAN. Where did you say?

Mrs. VALLENS. UCLA.

Mr. TAVENNER. What year was that?

Mrs. VALLENS. 1947.

Mr. TAVENNER. Considerable emphasis was placed by Dorothy Healey in her report to the Southern California District convention,

held on April 13 and 14, 1957, regarding youth activities in the Communist Party. The subject was given consideration also at the Sixteenth National Convention of the Communist Party in New York, which was held in February, 1957.

Have you for many years been active in a Communist Party assignment in youth organizations?

(The witness confers with her counsel.)

Mrs. VALLENS. I feel that your question makes many assumptions that are not based on anything that factually is presented, and I also feel that any organizations I do or do not belong to are my own personal affair and not the business of anybody else, and I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Let me put the question this way: Were you active while a student in the organization of the American Youth for Democracy?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. The Youth for Wallace organization?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. The Students Organizing Committee of the Independent Progressive Party?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not, in fact, president of the Patriots Club of the American Youth for Democracy?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not a member of the Students Organizing Committee of the Independent Progressive Party while you were at UCLA?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. After completion of your college work, were you not active in the work of the Labor Youth League, which was the successor to the American Youth for Democracy?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not elected to serve on the finance committee at the convention of the Los Angeles County Labor Youth League held on July 14, 1956?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not, on August 2, 1956, elected to the position of social director of the Labor Youth League of Los Angeles County although you were not present at the time of your election?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Did you accept the office?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Are you aware of the program established by Dorothy Healey in the field of youth?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. No questions.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARFSKY. I do.

TESTIMONY OF LEO BAEFSKY, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. BAEFSKY. Leo Baefsky.

Mr. TAVENNER. Will you spell your last name?

Mr. BAEFSKY. B-a-e-f-s-k-y.

Mr. TAVENNER. It is noted that the witness is accompanied by Ben Margolis, a member of the California Bar.

Mr. TAVENNER. Where do you reside, Mr. Baefsky?

Mr. BAEFSKY. 436 Brightwood, Monterey Park.

Mr. TAVENNER. When and where were you born?

Mr. BAEFSKY. Chicago, Ill.

Mr. TAVENNER. When?

Mr. BAEFSKY. July 6, 1919.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. BAEFSKY. 1940.

Mr. TAVENNER. What is your occupation?

Mr. BAEFSKY. I am an accountant.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BAEFSKY. Starting with grammar school?

Mr. TAVENNER. Yes.

Mr. BAEFSKY. Grammar school, high school in Chicago, a year and a half of college in Chicago, and the balance of my college education at UCLA.

Mr. TAVENNER. When did you complete your college work?

Mr. BAEFSKY. 1946.

Mr. TAVENNER. Have you been engaged in youth activities of the Communist Party in Los Angeles?

Mr. BAEFSKY. I don't consider this a question which is pertinent to the legislative function. I consider it an infringement of my rights which are guaranteed me by the Constitution. For example, I think you are familiar with the fact that Article I says that Congress shall make no law abridging freedom of speech or the press or the rights of the people peaceably to assemble and petition the Government for a redress of their grievances. I consider a question which discusses my activities is formed within the framework of this Article.

The CHAIRMAN. Maybe I could point out to you the relevancy by reading to you a part of the report to the Southern California District convention by Dorothy Healey, in which she says:

We are not in a position to project a definitive program of work among youth. We know that the future of our party lies in our ability to win youth to the cause of socialism, but while we cannot yet answer the question of what type of Marxist youth organization should emerge, we can state that high on the priority list of our party's program, should be the planned and conscious approach toward the young people in the mass organizations and unions in which we [meaning the Communists] participate.

Now it is because of this statement we are interested in knowing about youth activities.

Mr. BAEFSKY. Well, Mr. Chairman, as I understand it, questions must be pertinent to a legislative function, and legislation in the

field of ideas is forbidden by the first amendment. As I pointed out previously, the first amendment says—

The CHAIRMAN. Yes. I have a speaking acquaintance with the first amendment and all the other amendments, but I am going to direct you to answer the question.

Mr. MARGOLIS. I don't think the witness had an opportunity to completely state his grounds. I think you interrupted him while he was stating them.

Mr. BAEFSKY. I would like to point out, on the grounds previously stated, and I read the gist of the first amendment, and I would also like to point out that I refuse to answer the question under privilege afforded me under the fifth amendment, which says that no person can be compelled to testify against himself. I add this without any indication of guilt on my part.

Mr. TAVENNER. The explanation made by the chairman taken from the report of Dorothy Healey has reference to that report which she made at the first Southern California District convention of the Communist Party, held on April 13 and 14, 1957. Did you attend that convention?

Mr. BAEFSKY. I am sorry, sir, I would like to refuse to answer that question on the grounds previously stated. I consider the question infringes on my rights of association and of freedom of speech and action.

Mr. TAVENNER. Have you not studied the very report that was referred to by the chairman?

Mr. BAEFSKY. I am sorry, sir, I will have to refuse to answer the question on the grounds previously stated. The question is not pertinent to legislative inquiry, as I understand.

Mr. TAVENNER. Are you aware of what is being done now by the Communist Party of the Southern District of California in the youth field?

Mr. BAEFSKY. I am sorry, sir, I consider any questions in this field not to be pertinent to a legislative inquiry, and I must stand upon the grounds previously stated in answering them.

Mr. TAVENNER. You have been experienced, have you not, in the Communist Party work within youth organizations back to the time of your college days; isn't that so?

Mr. BAEFSKY. Mr. Interrogator, I must refuse to answer any questions on my political beliefs or political associations. I consider them not a fit arena for legislation. It is expressly forbidden by the first amendment.

Mr. TAVENNER. While at the University of California in 1945, were you not the executive secretary of the Four Freedoms Club of the American Youth for Democracy?

Mr. BAEFSKY. As I said previously, I consider these questions not relevant to a legislative inquiry. Thus, I must refuse to answer them on the grounds previously stated.

Mr. TAVENNER. Weren't you on the editorial staff of the publication known as Campus Currents which was put out by the Four Freedoms Club of the American Youth for Democracy of the Communist Party?

Mr. BAEFSKY. I must refuse to answer on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. BAEFSKY. I must refuse to answer again on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PARNES. I do.

**TESTIMONY OF ESTELLE PARNES, ACCOMPANIED BY COUNSEL,
BEN MARGOLIS**

Mr. TAVENNER. Will you state your name, please?

Mrs. PARNES. Mrs. Estelle Parnes.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis, member of the California Bar.

What was your maiden name, Mrs. Parnes?

Mrs. PARNES. Estelle Kurland.

Mr. TAVENNER. Kurland. Spell it, please.

Mrs. PARNES. K-u-r-l-a-n-d.

Mr. TAVENNER. Where do you reside?

Mrs. PARNES. Norwalk, 10515 Angell Street.

Mr. TAVENNER. When and where were you born?

Mrs. PARNES. 1929, August 24, Phoenix, Ariz.

Mr. TAVENNER. When did you move to California for the purpose of making it your permanent residence?

Mrs. PARNES. I believe it was 1942.

Mr. TAVENNER. The committee has learned of the contents of Dorothy Healey's report to the Southern California District convention of the Communist Party which she made at a meeting on April the 13th and 14th, 1957. Are you aware of the contents of that report?

Mrs. PARNES. I can't see how this question could possibly be relevant or pertinent to anything that the committee has in mind. And since the actions and questions of the committee violate the Constitution and the Bill of Rights, as well as my own personal convictions, I will refuse to answer any questions of this committee that will violate the first amendment to the Constitution and abridge my freedom of speech and right to associate with whom I please, and I also will refuse to answer any questions which might incriminate me as guaranteed by the fifth amendment to the Constitution.

Mr. TAVENNER. Will you tell the committee, please, if you know what the plans of the Communist Party are, at this time, for the advancement of Communist Party objectives within youth organizations?

Mrs. PARNES. I cite my previous answer.

(The witness confers with her counsel.)

Mr. TAVENNER. The meeting to which I referred as being held on April 13 and 14, 1957, was a meeting of the Southern California District convention of the Communist Party. There was also a meeting later on July 27, 1958, of the District Council of the Communist Party, Southern District, California. Our investigation does not disclose that you were present, but did you learn of the directives and the action taken at that meeting?

Mrs. PARNES. Questions of this nature are intended simply to smear, blacklist, and hound people who may have a dissident point of view and have the courage to express this point of view. I will continue to refuse to answer this question, and I cite my previous grounds.

Mr. TAVENNER. Were you a delegate to the Southern California District convention held on April 13 and 14?

Mrs. PARNES. I cite my previous grounds.

Mr. TAVENNER. Have you not been active for a long period of years in promoting the Communist Party objectives among youth organizations?

Mrs. PARNES. This committee exists primarily to intimidate decent people into fear of expressing their ideas. This type of question is designed to do just that. I give the same answer.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. PARNES. Yes. I went to grammar school, high school, and 4 years of college.

Mr. TAVENNER. Where did you attend college?

Mrs. PARNES. UCLA.

Mr. TAVENNER. When did you complete your college work at UCLA?

Mrs. PARNES. I left school to get married in 1949.

Mr. TAVENNER. While at UCLA, were you the chairman of the UCLA Chapter of the Labor Youth League, which was the successor organization to the American Youth for Democracy and the Young Communist League?

Mrs. PARNES. Any questions of that nature I will give the same answer to. Any associations, organization, that I have belonged to are my own business. I will not be compelled by any committee to testify as to the nature of these organizations. The same answer.

Mr. TAVENNER. After leaving the university, did you not continue your work within the Labor Youth League of California until the time of its termination in 1956?

Mrs. PARNES. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. PARNES. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you stand up, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SARNOFF. I do.

**TESTIMONY OF IRVING SARNOFF, ACCOMPANIED BY COUNSEL,
BEN MARGOLIS**

Mr. TAVENNER. Will you state your name, please, sir?

Mr. SARNOFF. Irving Sarnoff.

Mr. TAVENNER. It is noted for the record that the witness is accompanied by Mr. Ben Margolis, of the California Bar.

When and where were you born, Mr. Sarnoff?

Mr. SARNOFF. I was born in New York City on May 25, 1930.

Mr. TAVENNER. When did you first come to the State of California to make it the place of your residence?

Mr. SARNOFF. 1946.

Mr. TAVENNER. What is your occupation?

Mr. SARNOFF. I am a car inspector.

Mr. TAVENNER. Railroad?

Mr. SARNOFF. That is right.

Mr. TAVENNER. What has been your formal educational training?

Mr. SARNOFF. I went to public school, grade school, and high school.

Mr. TAVENNER. Were you in the Armed Forces of the United States?

Mr. SARNOFF. Yes.

Mr. TAVENNER. How long?

Mr. SARNOFF. Approximately 1 year.

Mr. TAVENNER. How long have you been engaged in the work of a railroad car inspector?

Mr. SARNOFF. I don't see where that question is pertinent.

Mr. TAVENNER. Let me put it another way. What other work record have you had besides that of a railroad car inspector since being in California?

Mr. SARNOFF. I don't see where that question, sir, is pertinent to a legislative inquiry.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question, Mr. Sar-noff.

Mr. SARNOFF. If you wish—my employment in the place that I mentioned; I was employed by the United States Army; and previous to that, I was an assembler for Hoffman Television Company.

Mr. TAVENNER. When did your services in the military forces end?

Mr. SARNOFF. March 26, 1952, I believe.

Mr. TAVENNER. Did you receive an honorable discharge?

Mr. SARNOFF. Yes.

Mr. TAVENNER. Are you at this time a member of the District Council for the Southern California District of the Communist Party?

Mr. SARNOFF. On the ground of the first amendment, which prohibits legislative inquiries into the field of speech, the field of association, the field of ideas, I do not feel that this question is a proper question, and on the grounds of pertinence relative to the fact that I don't see how that question is pertinent to a legislative inquiry of this nature, and on the ground of the fifth amendment to the Constitution, which protects a witness from being a witness against himself, I would refuse to answer that question.

Mr. TAVENNER. Did you attend the Los Angeles County Communist Party convention held on January 5 and 6, 1957?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Did you attend the California State convention of the Communist Party held on January 19 and 20, 1957?

Mr. SARNOFF. I refuse to answer that on the grounds previously stated.

Mr. TAVENNER. The committee is informed that you attended a convention of the newly formed Southern District of the Communist

Party of Southern California on April 13 and 14, 1957. Is it true that you were there?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you familiar with the report of Dorothy Healey made at that convention relating, particularly, to the Communist Party attitude toward work within youth organizations?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Have you not been active in behalf of the Communist Party in the promotion of its program among youth organizations?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you a member of the American Youth for Democracy organization?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. As late as 1956 were you not the labor director of the Los Angeles County Labor Youth League?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you not a member of the executive committee of the Labor Youth League and in 1957 a delegate to the Labor Youth convention?

Mr. SARNOFF. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SARNOFF. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TALBOT. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF WILLIAM W. TALBOT, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. Will you state your name, please?

Mr. TALBOT. William Talbot.

Mr. TAVENNER. Will you spell your last name?

Mr. TALBOT. T-a-l-b-o-t.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis, of the California Bar.

When and where were you born, Mr. Talbot?

Mr. TALBOT. I was born in Panguitch, Utah.

Mr. TAVENNER. Will you spell it?

Mr. TALBOT. P-a-n-g-u-i-t-c-h.

Mr. TAVENNER. What date?

Mr. TALBOT. 1908. My parents and all four of my grandparents were likewise born in Utah.

Mr. TAVENNER. Where do you now reside?

Mr. TALBOT. 1806 Montana Street, Los Angeles.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. TALBOT. The fall of 1950.

Mr. TAVENNER. '50?

Mr. TALBOT. Yes.

Mr. TAVENNER. What is your formal educational training?

Mr. TALBOT. I graduated from the eighth grade, grammar school.

Mr. TAVENNER. What is your occupation?

Mr. TALBOT. Well, I have worked 14 years in mining. I worked in the building construction, canning factories, furniture factory, and the railroads, and machine shops. Most of the time as a miner.

Mr. TAVENNER. Will you state whether or not prior to 1950 you were an organizer of the Communist Party in Utah and Idaho?

Mr. TALBOT. On the grounds that that infringes on my rights under the first amendment to the Constitution, I invoke the first amendment in answer to that question.

Mr. TAVENNER. After coming to Los Angeles, have you not engaged in Communist Party work within various Communist front organizations?

Mr. TALBOT. I think I will invoke the same answer to that question.

Mr. TAVENNER. Have you not conducted Marxist classes over the period from May 3, 1953, to September 29, 1953?

Mr. TALBOT. Same answer to that question.

Mr. TAVENNER. Were you a delegate to the State convention, the California State convention of the Communist Party, held in Los Angeles on January 19 and 20, 1957?

Mr. TALBOT. Same answer.

Mr. TAVENNER. Were you not also a delegate to the Southern California District convention held on April 13 and 14, 1957?

Mr. TALBOT. I will give you the same answer to that question.

Mr. TAVENNER. Didn't you attend both of these conventions?

Mr. TALBOT. That involves my right of association, and I will cite the same answer.

Mr. TAVENNER. Are you a member of a trade union?

Mr. TALBOT. I will cite the same answer to that question.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. TALBOT. Same answer to that question.

Mr. TAVENNER. I have no further questions.

(Whereupon, at 11:45 a.m. Friday, September 5, 1958, the subcommittee adjourned, subject to the call of the Chair.)

**THE SOUTHERN CALIFORNIA DISTRICT
OF THE COMMUNIST PARTY
Structure—Objectives—Leadership**

**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH CONGRESS
FIRST SESSION**

**PART 3
FEBRUARY 24 AND 25, 1959**

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent report and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

(g) Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned; to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

(Part 3)

TUESDAY, FEBRUARY 24, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 9:30 a.m., in room 229, Federal Building, Los Angeles, Calif., Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania; Morgan M. Moulder, of Missouri; and August E. Johansen, of Michigan.

Staff members present: Frank S. Tavenner, Jr., counsel; William A. Wheeler, investigator; and Mrs. William A. Wheeler, acting clerk.

Chairman WALTER. The committee will come to order.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MITCHELL. I do.

TESTIMONY OF CHARLENE MITCHELL, ACCOMPANIED BY COUNSEL, JEAN KIDWELL

Mr. TAVENNER. State your name, please.

Mrs. MITCHELL. Charlene Mitchell.

Mr. TAVENNER. Miss or Mrs.?

Mrs. MITCHELL. Mrs.

Mr. TAVENNER. It is noted that you are accompanied by counsel.

Mrs. MITCHELL. I am.

Mr. TAVENNER. Counsel, will you please identify yourself?

Miss KIDWELL. Miss Jean Kidwell, Pestana & Kidwell.

Mr. TAVENNER. Of the Los Angeles Bar?

Miss KIDWELL. Yes.

¹ Released by the committee and ordered to be printed.

The executive testimony herewith released formed part of the background information on which is based the "Report on the Southern California District of the Communist Party: Structure—Objectives—Leadership," H. Rept. No. 259, released by the Committee on Un-American Activities on Apr. 13, 1959.

Chairman WALTER. This is a continuation of the hearing begun by the Committee on Un-American Activities in Los Angeles, September 2, 1958. It is authorized by a resolution adopted by the committee on the 23d day of January 1959, which reads as follows:

Be it resolved, That a hearing by the Committee on Un-American Activities, or a subcommittee thereof, to be held in Los Angeles, Calif., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the extent, character, and objects of Communist Party activities in California, with special reference to such activities in southern California, the legislative purpose being:

1. (a) To obtain additional information for use by the committee in its consideration of section 16 of H.R. 9352 relating to the proposed amendment of section 4 of the Communist Control Act of 1954 referred to the Committee on Un-American Activities on August 19, 1957, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purpose or objectives thereof; and

(b) To obtain additional information, adding to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security, when and if the exigencies of the situation require it.

2. In the exercise of continuous watchfulness of the execution by the administrative agency concerned of laws, the subject matter of which is within the jurisdiction of this committee, to obtain information to assist the House in appraising the administration of such laws and in developing such amendments or related legislation as the committee may deem necessary.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the committee, which it, or any subcommittee thereof appointed to conduct this hearing, may designate.

Let the record show that pursuant to law and the rules of this committee, I, as chairman, appointed a subcommittee for the purpose of conducting these hearings composed of Representatives Morgan M. Moulder and August E. Johansen, as associate members, and myself, Francis E. Walter, as chairman.

The order of appointment of the subcommittee will be set forth in the record at this point.

(The order of appointment is as follows:)

FEBRUARY 5, 1959.

To: Mr. Richard Arens, Staff Director, House Committee on Un-American Activities.

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Morgan M. Moulder and August E. Johansen as associate members, and myself, Francis E. Walter, as chairman, to conduct hearings in executive session in Los Angeles, Calif., Tuesday, February 24, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said day or succeeding days, as it may deem necessary. Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this fifth day of February, 1959.

/s/ FRANCIS E. WALTER,
Chairman, The Committee on Un-American Activities.

Mr. WALTER. The committee resolution adequately sets forth the subject and purposes of this hearing. As stated at the inception of the hearing in September, information has come to the committee of renewed Communist Party activities in this area. The direction and extent of this renewed activity and its purposes are deemed by the committee to be of such importance to the welfare and defense of

the country as to justify this investigation in order that remedial legislation may be recommended designed to meet new threats of subversion:

You may proceed, Mr. Tavenner.

Mrs. MITCHELL. I have a statement that I would like to submit before the committee if this is possible.

Mr. WALTER. You may submit the statement and it will be made a part of our records.

Mr. TAVENNER. State your address, please.

Mrs. MITCHELL. 2411 West 23d Street.

Mr. TAVENNER. Los Angeles?

Mrs. MITCHELL. That is right.

Mr. TAVENNER. When and where were you born?

Mrs. MITCHELL. 1930, in Cincinnati, Ohio.

Mr. TAVENNER. What was your maiden name?

Mrs. MITCHELL. Alexander.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your formal educational training has been?

Mrs. MITCHELL. The usual grammar school, high school, and completed 2 years of college.

Mr. TAVENNER. Where did you attend college?

Mrs. MITCHELL. Herzl Junior College in Chicago, Ill.

Mr. TAVENNER. What was the date of the completion of your work?

Mrs. MITCHELL. I think June of 1950.

Mr. TAVENNER. When did you first come to California to make it your place of residence?

Mrs. MITCHELL. About 4 years ago.

Mr. TAVENNER. Where did you live prior to that?

Mrs. MITCHELL. Chicago, Ill.

Mr. TAVENNER. What is your occupation?

Mrs. MITCHELL. I refuse to answer that question on all the grounds afforded me by the United States Constitution.

Mr. TAVENNER. Are you at this time a salaried employee of the Communist Party in the Southern District of California?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. What was your first employment after coming to California 4 years ago?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. What was your occupation in Chicago before coming to California?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Will you be a little more definite as to the time that you came here?

Mrs. MITCHELL. It is roughly 4 years ago. I can't remember the exact date.

Mr. TAVENNER. Were you sent here by the Communist Party from Chicago?

Mrs. MITCHELL. I stand on the previous grounds.

Mr. TAVENNER. When you first came from Chicago to California did you engage in youth work in this area?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. By youth work, I mean youth work within the Communist Party.

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you associated from the time of your arrival in Los Angeles to a comparatively recent date with the Labor Youth League?

Mrs. MITCHELL. You are going into the field of my affiliations and associations, and I must refuse to answer on the grounds afforded me by the United States Constitution.

Mr. TAVENNER. What grounds are those?

Mrs. MITCHELL. All of the grounds of the Constitution.

Mr. TAVENNER. Are you relying upon that part of the fifth amendment relating to self-incrimination?

Mrs. MITCHELL. The Constitution and all its amendments.

Mr. MOULDER. Mr. Chairman, may I interrupt? May I ask that the witness be directed to answer the question for the reason that there should be some showing of whether or not she is acting in good faith in claiming the protection of the Constitution.

Mr. WALTER. Yes; I direct you to answer that question.

Mrs. MITCHELL. I refuse on the grounds of the first, the fifth, and all those amendments that protect my rights.

Mr. TAVENNER. Mr. Chairman, I think I should read into the record that the Labor Youth League was cited by Attorney General J. Howard McGrath in his letter released August 30, 1950, as a "Communist organization" which "has taken the place of the two prior organizations as the organization for young Communists,"—that is, the Young Communist League and American Youth for Democracy.

Did you attend the Labor Youth League convention held in Los Angeles in July of 1956?

Mrs. MITCHELL. I refuse to answer on the grounds previously mentioned.

Mr. TAVENNER. Were you not one of the seven members of the presiding committee of that convention?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. The Labor Youth League is not now in existence, is it?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Do you know why it went out of existence?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not a fact that it went out of existence because its activity had become publicly known and, therefore, it could not be supported? Is that not true?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Are you at this time a member at large of the Communist Party of the United States?

Mrs. MITCHELL. You are again going into the field of associations, affiliations, and I must refuse to answer you on the previous grounds that I mentioned.

Mr. TAVENNER. Are you a member at large of the National Committee of the Communist Party of the United States?

Mrs. MITCHELL. That is the same question, and the same answer.

Mr. TAVENNER. Were you in attendance at a meeting of the District Council of the Communist Party for Southern California held on July 27, 1958, at which time a report was made by delegates who

attended a meeting of the National Committee of the Communist Party held in New York City June 28, 1958?

Mrs. MITCHELL. I stand on all previous grounds mentioned.

Mr. WALTER. May I interrupt at that point, Mr. Tavenner. I think it is very important if we could possibly induce this witness to tell us what happened at that meeting.

Mr. TAVENNER. I am asking her about a meeting which she attended in Los Angeles, the purpose of which was to receive reports from the delegates who attended the national committee meeting.

Dorothy Healey, who, according to the committee's information, is the head of the Communist Party in the Southern District of California, and is also a member of the National Committee of the Communist Party, made an extensive report to the Southern California District convention in April 1957. That report has been introduced in evidence as exhibit 7 in her testimony. I want to read to you from a page of that report:

Youth. We are not in a position to project a definitive program of work among youth. We know that the future of our party lies in our ability to win youth to the cause of socialism. But while we cannot yet answer the question of what type of Marxist youth organization should emerge, we can state that high on the priority list on our party's program should be the planned and conscious approach toward the young people in the mass organizations and unions in which we participate. This means developing teen-age programs in those organizations, designed to answer the needs and interests of young people.

Were you present when that report was made?

Mrs. MITCHELL. All of these things, it seems to me, that you are reading, are matters of public record. I just don't think the committee is really interested in these things. I think it is more interested in harassing people.

Mr. TAVENNER. We are more interested in whether you knew about it.

Mrs. MITCHELL. I just refuse to answer on the grounds I have already given you.

Mr. TAVENNER. Were you not made cochairman of the Youth Commission of the Communist Party in Southern California for the purpose of carrying out the directives that came down from the national committee and as reported by Dorothy Healey?

Mrs. MITCHELL. I must refuse to answer these questions on the grounds that I have already given you.

Mr. TAVENNER. Will you tell the committee how many persons compose the Youth Commission of the Communist Party in this area?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was Ethel Biskar made your cochairman?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is Shifra Goldman a member of your Youth Commission?

Mrs. MITCHELL. It seems to me that you have subpoenaed me here. Why should I have to testify about other people? I am not going to give to this committee any kind of names or anything else that may help this committee. I refuse to answer that question on the previous grounds mentioned.

Mr. TAVENNER. May I have a direction that the witness answer the question?

Mr. WALTER. You are so directed.

Mrs. MITCHELL. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Is Eleanor Smith a member of this commission?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was a person by the name of Edward Enfiajian a member of this Youth Commission at one time?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was he not dropped from this commission and relieved of responsibility on it because his activities on this commission might publicly identify him as a member of the Communist Party?

Mrs. MITCHELL. I must refuse to answer on the previous grounds mentioned.

Mr. TAVENNER. How many youth organizations of the Communist Party are there in the Southern District of California?

Mrs. MITCHELL. You are changing these questions around just like that, but the same answer.

Mr. TAVENNER. At the beginning of 1959, were there not three youth clubs in operation in this area?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were not one or two adult members of the Communist Party assigned to each club?

Mrs. MITCHELL. Same answer.

Mr. WALTER. What were the names of the clubs, Mr. Tavenner?

Mr. TAVENNER. One was a study group, according to the committee's information, known as Shifra Goldman Group. Is that correct?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You and August Maymudes were assigned to a more advanced group of the young Communist group, were you not?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. The third group that I mentioned was made up of ex-members of the Labor Youth League, is that not true?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not a fact that Admiral Dawson was the adult member who was assigned to this last mentioned group?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. In other words, if our information is correct that you are cochairman of the youth movement in this area, you refuse to give this committee any information about the advancement of its work?

Mrs. MITCHELL. It seems to me if this committee is at all interested in subversives then they should really go where the subversives are. I know nothing of why this committee has to come to Los Angeles when time after time incidents of terrors and bombings take place against my people, the Negro people in the South, even here, as a matter of fact, and this committee does nothing about that but here it comes into Los Angeles to investigate, as it calls it, so-called subversives. This I can't understand. It seems to me if this committee is really interested then they can investigate the KKK, the White Citizens Council, any number of organizations that are really subverting this organization.

Mr. WALTER. You know the difference between those activities and the activities we are investigating. I am not going to waste my breath reminding you of what they are.

Mr. MOULDER. Do you consider the Communist Party as being a political party, or would you consider it to be a subversive activity?

Mrs. MITCHELL. You are again asking me as to opinions and ideas. I will discuss these things with you in an open forum but I am not going to answer you that in this type of committee hearing.

Mr. MOULDER. My conclusion is that you consider the Communist Party or the Communist Party activities as not being subversive.

Mrs. MITCHELL. When and if we want to discuss the ideas and opinions of any organization, then maybe we could go and discuss them in an open forum but I will not sit here in this room and discuss these opinions with you.

Mr. TAVENNER. Why?

Mrs. MITCHELL. Because I feel I would be giving up my constitutional liberties and I would not be acting as a decent American citizen.

Mr. TAVENNER. Is not the actual reason that you do not want to give information regarding the activities of the Communist Party because then Congress will have the full facts?

Mrs. MITCHELL. It seems to me that Congress has an awful lot of facts on an awful lot of things and they have not done much about it, especially this committee.

Mr. TAVENNER. We are gathering more facts all the time and we hope to get some from you. We certainly have obtained complete information about this community.

Mrs. MITCHELL. Did you get facts about Little Rock?

Mr. TAVENNER. Yes, we have.

Mrs. MITCHELL. You have not moved on Little Rock and you have been here twice.

Mr. TAVENNER. We have obtained facts about what the Communist Party wants to do about infiltration and that you are a member of the national committee. What do you know about that?

Mr. WALTER. About what?

Mr. TAVENNER. About the decision of the Communist Party to infiltrate into the NAACP.

Mrs. MITCHELL. I have not violated any laws.

Mr. TAVENNER. That is not my question. You brought up the question, now let us follow it.

Mrs. MITCHELL. Then I refuse to answer the question on the grounds previously mentioned.

Mr. MOULDER. May I ask what knowledge of subversive activities you have at Little Rock?

Mrs. MITCHELL. It seems to me that this whole committee should, if it does not know, know about the question of Governor Faubus who has refused over and over again to follow the Supreme Court's mandate of 1954 outlawing segregated schools, when children are having to go to schools with bayonets at their and then all of a sudden they can't go that way because the Congress has not yet seen fit to pass a bill that will protect those children.

Mr. MOULDER. Do you have such a personal knowledge?

Mrs. MITCHELL. There is a child who goes to Los Angeles High School because he could not go to a decent school in Little Rock. My

father comes from Georgia, where, when he went to Georgia, they strung him up on a pole outside of a high school. I know about these things and I know the sheriff knew and I know there are Congressmen who sit in Congress who sit there in defiance of the 14th amendment. Because they are supposed to be elected by the people who vote. Here are people in Mississippi—only three-tenths of 1 percent of Negroes in Mississippi can vote. If this is not subverting the Government, then I don't know what is. It seems to me this committee should be perfectly willing to investigate such activity.

Mr. WALTER. That is not within our jurisdiction, but since you have been so willing to talk why do you not talk about the things pertinent to this hearing?

Mr. TAVENNER. In the February 25, 1957, issue of The New Leader there is an article entitled "U.S. Communists Convene," by Walter K. Lewis. I read this paragraph:

* * * The Communists directed special emphasis to the Negro question in their declaration of principles, and Carl Rachlin reported that a major effort to infiltrate the National Association for the Advancement of Colored People and the National Urban League should be anticipated.

What has been done in this area to carry out what was indicated should be anticipated in this field?

Mrs. MITCHELL. I must stand on my constitutional rights and refuse to answer the question.

Mr. TAVENNER. As a matter of fact, have you not advanced \$45 of Communist Party money to a member of the NAACP at UCLA and you did it in the name of the Youth Commission of the Communist Party?

Mrs. MITCHELL. Same answer.

Mr. MOULDER. That is a very interesting point. Do you mean by the same answer that you are claiming protection of the fifth amendment of the Constitution?

Mrs. MITCHELL. All the grounds that I previously stated.

Mr. TAVENNER. On September 21, 1958, there was a District Council meeting of the Southern California Communist Party, and according to the committee's information, you were present. Before I ask you any questions about that, I want to ask you whether or not it is true that you are one of the 62 members of the District Council of the Communist Party for the Southern District of California?

Mrs. MITCHELL. You are questioning again in the same way and I give the same answer.

Mr. TAVENNER. Are you not one of the 10 executive board members of the district council?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not true that Don Wheeldin, before he resigned on March 26, 1958, was also a member of this same executive board with you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not true that Horace V. Alexander was 1 of the 10 members?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Thomas Creed?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Cornelius Crowe?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not a fact that Ben Dobbs is also a member with you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not also a fact that Bernard Lusher, who is prominent in the field of labor, is also a member of this executive board with you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. And Nemmy Sparks?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. When Don Wheeldin resigned, according to the committee's information, it was planned that William Taylor, formerly of Washington, D.C., was slated to become a member of the board. Has he yet become a member?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I referred you to the fact, according to the committee's information, that there was a meeting on September 21, 1958—that was after the committee's hearing here in Los Angeles last September—of the District Council of the Communist Party for the Southern District of California, and that you were present. I want to ask you some questions about that meeting.

In fact, I have what purports to be a copy of the minutes of that meeting. Will you examine it, please, and state whether or not the action reported there was the action at that meeting.

(Papers handed to the witness.)

Mr. TAVENNER. Can you identify that document as a copy of the minutes?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Mitchell Exhibit No. 1."

Mr. WALTER. It may be marked and made a part of the record.

(Document marked "Mitchell Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. According to the committee's information and as stated on those minutes, the meeting was held at Park Manor, 607 South Western Avenue in Los Angeles. Is that not correct?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Exhibit 1, which I showed you, has a statement that there were in attendance 42 delegates and one visitor.

Mrs. MITCHELL. Who was the visitor?

Mr. TAVENNER. Paragraph C, at the bottom of the first page, is as follows:

Dorothy reported for the district board on the experiences, lessons, and of the recently concluded hearings of the House Un-American Activities Committee. Twelve delegates spoke in the discussion.

What did Dorothy Healey have to say about the hearings of the Committee on Un-American Activities?

Mrs. MITCHELL. Same question and same answer.

Mr. TAVENNER. You seem to be smiling. Something of an unusual character must have occurred.

Mrs. MITCHELL. No; I am laughing because you are asking me the same questions in a different manner.

Mr. TAVENNER. Did Dorothy Healey at this meeting explain why the Communist Party did not call a meeting of the subpoenaed witnesses?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did she not explain before that meeting that it was much better that a districtwide meeting of all the subpoenaed people be held under the auspices of the Citizens Committee To Preserve American Freedoms?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. The Citizens Committee To Preserve American Freedoms did hold such a meeting in August of 1958, did it not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I ask the witness be directed to answer the question.

Mr. WALTER. You are so directed.

Mrs. MITCHELL. I refuse to answer the question on the grounds afforded me by the Constitution and all its amendments.

Mr. TAVENNER. Frank Wilkinson was one of the speakers, was he not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Various subpoenaed witnesses, including Don Wheel-din, were called upon to stand up at the meeting, and some of them spoke, did they not?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. What functionary of the Communist Party made the arrangements for, or negotiated with, the Citizens Committee to Preserve American Freedoms for the sponsoring of that meeting?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Was it the purpose of this meeting to encourage or induce the subpoenaed witnesses to stand together in defying this committee?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you a member of the Citizens Committee to Preserve American Freedoms in August of 1958?

Mrs. MITCHELL. I will not discuss my affiliations with any organization before this committee. I refuse to answer on the previous grounds mentioned.

Mr. TAVENNER. Were you present at the meeting of the Citizens Committee to Preserve American Freedoms?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I now want to go back to this meeting of the District Council of the Southern District of California, Communist Party, at which Dorothy Healey, according to the minutes, spoke of the experiences and lessons of the hearing before this committee, and I ask you whether or not she did not admit to the group to which she was speaking that the committee in questioning her had correct information of what had transpired at a former meeting of the District Council.

Mrs. MITCHELL. I must refuse to answer on the grounds previously mentioned.

Mr. TAVENNER. Did she not tell you that the information was so accurate that the committee must have had the meeting room bugged or had an informer present?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Referring again to exhibit 1, the minutes, I made reference to the statement in the minutes that 12 delegates spoke in the discussion relating to the committee.

Who were some of them?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did Sophie Silver, as one of them, discuss the lack of security which exists in the Communist Party of the Southern District of California?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Incidentally, was not a security provision taken at the holding of this very meeting designed to deceive the public as to the nature of the meeting that was being held?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was there not placed on the announcement board at the Park Manor a sign that your meeting was the "Midtown Forum"?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was not Harry Hunt also a speaker on the subject of the committee?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did not Wally Talbot also participate in the debate?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You were cotreasurer with a white person for the subpoenaed witnesses' fund, were you not?

Mrs. MITCHELL. Do you always make this big difference?

Mr. TAVENNER. What big difference?

Mrs. MITCHELL. Is it something that is a white person? Do you always make such a difference?

Mr. TAVENNER. I am in this case.

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I will state why. As 1 of the 12 persons who discussed the hearing of the committee, did you not charge that the white Communist Party members were discriminating against you by turning over their money to the white cotreasurer instead of paying you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You specifically charged, did you not, that Henry Sazer was guilty of this type of conduct in connection with a \$40 contribution made by him?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Exhibit 1, constituting the minutes of the meeting, shows that a motion was made, seconded, and carried, that the party be mobilized to participate in the campaign to abolish the House Un-American Activities Committee. You recall that, do you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was any action taken on your complaint with regard to discrimination against a Negro member by the white members of the Communist Party with regard to payment of contributions?

Mrs. MITCHELL. I don't understand the question.

Mr. TAVENNER. Was any action taken at the meeting with regard to the complaint made by you that you were being discriminated against?

Mrs. MITCHELL. Same answer.

Mr. MOULDER. You were referring to discrimination a little while ago in Little Rock and elsewhere. Don't you wish to give us information about any discrimination which might be going on within the Communist Party?

Mrs. MITCHELL. The outward terror, the harassment, the murder of Negroes that has taken place in the South, in my opinion, is comparable—there is nothing comparable to it.

Mr. MOULDER. I mean the principle of it, maybe not to the same degree, but the principle.

Mrs. MITCHELL. I don't think the principle anywhere else is the same.

Mr. MOULDER. You were complaining about discrimination. If it is false, would you not want to deny it?

Mrs. MITCHELL. I will neither deny nor affirm anything this committee wants to know regarding my affiliations or ideas.

Mr. TAVENNER. The committee has information that the last meeting of the District Council of the Southern California Communist Party was held at the same place on October 24, 1958, and that the attendance at this meeting had fallen off to about 30 members. Can you account for this percentage of decrease in attendance?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Is Bernard Lusher chairman of the Labor Commission of the Communist Party for the Southern California District of the Communist Party?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did he report at this meeting held on October 24 of the advantages of uniting in one group all the labor members from the different sections and clubs of the Communist Party?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did he not publicly state in that meeting that the main purpose of this type of organization was to influence the political thinking of the people in the unions?

Mrs. MITCHELL. I stand on the grounds previously mentioned.

Mr. WALTER. Did he say what he meant by political thinking?

Mr. TAVENNER. No, sir.

You were present at that meeting; were you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. According to the committee's information, you were. The committee's information is that the next meeting following that one was held in November of 1958 but you were not present. Why were you not present?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you in New York at the time that meeting was held?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you not in attendance in November of 1958 at the National Committee meeting of the Communist Party in New York City?

Mrs. MITCHELL. I stand on the previous grounds.

Mr. TAVENNER. Our information is that you were present at a District Council meeting held not long thereafter in Los Angeles on December 21, 1958. Am I correct that you were present?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did Dorothy Healey at this meeting announce that you were not in agreement with a resolution passed at the national committee meeting on "Theoretical Aspects of the Negro Question in the United States"?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. In other words, did she not announce that you were opposed to the action that had been taken?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. What was the resolution to which Dorothy Healey referred and with what did it deal?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did not the resolution to which she referred relate to a change in the party position that had been taken as long ago as 1928 with regard to the Negro people in the United States constituting a nation within a nation?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. This has been the subject of considerable testimony before the committee in the past where the committee was rather ridiculed by the Communist Party for contending that the Communist Party had adopted a program, or a line, taking the position that the Negro people constituted under Stalin's definition a nation within the United States. But when this was attempted to be changed, you opposed the change, did you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Do you admit that the Communist Party had been wrong for 30 years, from 1928 until 1958, in its position that the Negroes constituted a separate nation within the United States?

Mrs. MITCHELL. We are discussing now opinions?

Mr. TAVENNER. No.

Mrs. MITCHELL. I don't understand the question.

Mr. TAVENNER. Let me restate it, then. Did you not state at this meeting on December 21 that you were opposed to any change in the position taken by the Communist Party as long ago as 1928—

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Just a minute.

—which position was and continued to be up until 1958 that the Negro people were a separate nation within the United States?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Did not Dorothy Healey continue to point out that she was in favor of the change and against the view taken by you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did not Dorothy Healey take a very strong position against you in this matter?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. In fact, you and Dorothy Healey have not gotten along very well together. You look surprised.

Mrs. MITCHELL. Is the committee interested in how I get along with people?

Mr. TAVENNER. Yes, when an issue is involved.

Mrs. MITCHELL. I must refuse to answer on the ground previously stated.

Mr. TAVENNER. Did not Dorothy Healey run into a great deal of difficulty in the meeting of the District Council of July 27, 1958, re-

garding the Thompson report from the national committee and the Dennis report in the matter of the discussion of Nagy in Hungary?

Mrs. MITCHELL. I will not discuss with you my opinions or anybody's opinions before this committee. I must refuse to answer on the grounds previously stated.

Mr. TAVENNER. Dorothy Healey made a minority report about which she was very severely taken to task by members of the Communist Party. Is that not true?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Max Steinberg introduced a resolution to remove her as chairman of the party and possibly the only thing that saved her was that Pettis Perry moved that the motion be tabled. Is that not correct?

Mrs. MITCHELL. Same answer.

Mr. JOHANSEN. I wonder if the stenotypist could reread the statement the witness made a few moments ago to the effect that she would not discuss any opinions before this committee; hers or anyone else's.

Mrs. MITCHELL. Is it not true you did discuss before this committee your opinions about Little Rock and alleged wrongs in the South?

Mrs. MITCHELL. That is true.

Mr. JOHANSEN. Do you have a double standard? There are some opinions you will discuss before this committee but not others; is that right?

Mrs. MITCHELL. I don't get the question.

Mr. JOHANSEN. You have just said you would not discuss your opinions or anyone's before this committee; yet you acknowledge that you did discuss your opinions regarding Little Rock, so you have a double standard. Some opinions you will discuss before the committee.

Mrs. MITCHELL. It seems to me that I am not required to discuss my opinions before this committee. There are those that I will discuss that I would like this committee to be aware of.

Mr. MOULDER. Do you have any knowledge of any subversive plans or acts of disloyalty to our Government occurring or being planned at any of the meetings mentioned by Mr. Tavenner?

Mrs. MITCHELL. You have placed the same questions maybe in a different way that Mr. Tavenner has and I must give you the same answer.

Mr. MOULDER. If you had such knowledge of subversive or disloyal acts or plans to overthrow our form of government by force and violence or to cooperate with the international scheme of the world Communist Party movement, would you tell us about it?

Mrs. MITCHELL. It is my feeling that this committee does not accomplish whatever it is set out to accomplish.

Mr. MOULDER. That is not responsive to my question.

Mrs. MITCHELL. I am trying to answer your question if you will give me just a moment.

It seems to me if anyone is guilty of any crime or any criminal act that she should be called before a jury, a regular court, and be given his day in court to answer to such charges, but to come before such a hearing as this where, admittedly, the Supreme Court says in the Watkins decision that Congress has no right to investigate—

Mr. MOULDER. That is not responsive. You heard the chairman's statement at the beginning of this hearing that the objective of this

committee is to secure information to enable the Congress to better legislate upon problems facing our country—the threat of the Communist movement, and the efforts on the part of the Soviet Union to dominate the world, including our own country.

If you have any information along that line, would you give it to us to enable us to properly formulate legislation for your protection as well as the rest of the people of this Nation?

Mrs. MITCHELL. There are already such laws to protect this country.

Mr. MOULDER. Do you have any such information or knowledge?

Mrs. MITCHELL. I have to refuse to answer that question.

Mr. MOULDER. That is what I thought.

Mr. TAVENNER. Actually, the Communist Party attacks all laws dealing with security such as the Smith Act, the Walter-McCarran Act, and various acts relating to the employment of subversives. They fight, also, the FBI, which is engaged in fighting espionage and sabotage and other matters affecting the national defense and safety of the country.

These very minutes show that the Communist Party is endeavoring to mobilize forces to abolish this committee. In fact, it is engaged in every type of activity that it can think of against the interests of this country in the field of subversion. Is that not true?

Mrs. MITCHELL. If I am here accused of any criminal acts, then I think that I should be called before a grand jury, but I do not think that—

Mr. TAVENNER. Will you answer my question?

Mrs. MITCHELL. I must refuse to answer your question on the grounds previously stated.

Mr. JOHANSEN. Do you believe in the Constitution of the United States?

Mrs. MITCHELL. I do. I believe in it and I fight for it.

Mr. MOULDER. Does the Communist Party believe in it? Does it support its principles?

Mrs. MITCHELL. You are asking me about organizations and affiliations and I will not answer those questions before this committee. I refuse to answer on the grounds previously mentioned.

Mr. TAVENNER. Has any action been taken on Steinberg's motion?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Did you not oppose Dorothy Healey at the meeting of July 27, 1958, to which I have referred by making a motion that the reports which had been made be adopted—that is, the majority reports, which Dorothy Healey had opposed?

Were you not the one who made the motion that the committee reports be accepted?

Mrs. MITCHELL. What is the pertinency of this kind of question to the legislation that Mr. Walter referred to?

Mr. JOHANSEN. Does the Constitution require the Congress to provide for the general defense of the Nation?

Mrs. MITCHELL. Does Congress provide it?

Mr. JOHANSEN. Does the Constitution require Congress to provide for the general defense?

Mrs. MITCHELL. I think so, but what has this kind of question to do with providing for the national defense of the country?

Mr. WALTER: As a result of hearings of this sort over a period of years, recommendations have been made to the Congress which have resulted in the enactment of close to three dozen different laws, and I do not know how many Executive orders.

You see, the accomplishments have been great—perhaps too great for your purpose.

Mr. JOHANSEN. Those laws were enacted pursuant to the constitutional authority vested in the Congress of the United States.

Mrs. MITCHELL. They are all reprehensive laws and also very anti-democratic.

Mr. TAVENNER. Will you answer the question, please?

Mrs. MITCHELL. Will you repeat the question?

Mr. TAVENNER. The question is whether or not you made the motion to accept the majority report from the national committee.

Mrs. MITCHELL. I must stand on the previous grounds mentioned.

Mr. TAVENNER. In making that motion, in speaking to it, did you not support the position of the Communist Party with regard to the execution of Nagy, that is, were you not in favor of it?

Mrs. MITCHELL. Here again, this is an area of opinion and ideas on a certain subject. What happens in Hungary, happens in Hungary, and I must refuse to answer you on the grounds previously stated.

Mr. TAVENNER. Did you support the sending of Soviet troops into Hungary?

Mrs. MITCHELL. I think the Hungarians will take care of their own problems in their own way. They are a country outside of our own soil. I have nothing to do with Hungary and I feel that my efforts can much better be put to use in our own country, whatever they may be, and I must refuse to answer your question on the previous grounds mentioned.

Mr. TAVENNER. I want to go back for a moment to my questioning of you regarding your work among the young Communist groups.

Referring again to the minutes introduced in evidence as Mitchell Exhibit No. 1, I see that considerable emphasis was placed upon a drive, a Communist Party drive, to support the People's World. Section E of the minutes carries nearly half a page relating to a report made by "Ben." Is that individual Ben Dobbs?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. What was the quota assigned to the various units of the Communist Party in this area for money to be raised for the People's World?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. I hand you a photostatic copy of what appears to be, or purports to be, a report of the Southern California District People's World drive standings as of October 24, 1958, showing 28 sections of the Communist Party by name, the quota assigned to each, the amount raised by each after October 9, 1958, and the total raised.

Mr. WALTER. Where were those 28 sections?

Mr. TAVENNER. In the Southern District of California. They are the sections that comprise this new Southern District of California.

Mr. WALTER. What is that new Southern District?

Mr. TAVENNER. That is the name of it.

Mr. WALTER. Of what does it consist?

Mr. TAVENNER. The State was divided into two districts, as we brought out at the September hearings, and the Southern District was described in that testimony as being bounded on the north by Santa Barbara and Kern Counties and everything south of that was in the Southern District.

Mr. WALTER. Does that include San Diego?

Mr. TAVENNER. Yes, sir.

I hand you the report and ask you whether you can identify it as a correct report.

Mrs. MITCHELL. I must stand on the previous grounds.

Mr. TAVENNER. Have you seen the report before?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Are the 28 sections named there the correct titles for the sections of the Communist Party for this district?

Mrs. MITCHELL. Same answer.

Mr. MOULDER. So you decline to answer for the same reasons previously stated as provided for in the Constitution?

Mrs. MITCHELL. That is correct.

Mr. TAVENNER. This report shows a quota assignment of \$43,000 for these 28 sections, does it not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. It further shows that as of the date of this report \$39,468.07 of that quota had been raised. What is the total membership of the 28 sections of the Communist Party in this district?

Mrs. MITCHELL. I must refuse to answer on the grounds previously given.

Mr. TAVENNER. I have no other questions.

Mr. MOULDER. I assume you have heard this many, many times. Are you now a member of the Communist Party?

Mrs. MITCHELL. I must refuse to answer you on the grounds of the U.S. Constitution.

Mr. MOULDER. Have you ever been?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. James E. Jackson of New York was the individual who, as a member of the National Committee of the Communist Party, made the report which caused the change of the position of the Communist Party with regard to the Negro question, was he not?

Mrs. MITCHELL. I must refuse on the same grounds as previously given.

Mr. TAVENNER. James E. Jackson is now in the Soviet Union, is he not, as a representative at the 21st Congress of the Communist Party of the Soviet Union?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You opposed his report, did you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You opposed it on the ground that the Negro people still constitute a nation within a nation in the United States?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRODSKY. I do.

TESTIMONY OF SEYMOUR D. BRODSKY, ACCOMPANIED BY COUNSEL,
LEO FENSTER

Mr. TAVENNER. What is your name, please?

Mr. BRODSKY. Seymour Brodsky.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. FENSTER. Leo Fenster, 11363 Santa Monica Boulevard, Los Angeles.

Mr. TAVENNER. When and where were you born, Mr. Brodsky.

Mr. BRODSKY. October 26, 1916, in Johnstown, Pa.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BRODSKY. I graduated from high school and a couple of years of college.

Mr. TAVENNER. Where did you attend college?

Mr. BRODSKY. Los Angeles Junior College, it was, at that time.

Mr. TAVENNER. Where do you now reside?

Mr. BRODSKY. In Wilmington.

Mr. TAVENNER. In Wilmington, Calif.?

Mr. BRODSKY. Yes, sir.

Mr. TAVENNER. When did you move to California?

Mr. BRODSKY. In 1921.

Mr. TAVENNER. What is your occupation?

Mr. BRODSKY. I work in a drug store.

Mr. TAVENNER. According to the committee's information, you were present as a delegate to the organizational meeting of the Southern California District Council of the Communist Party held at Park Manor, 607 South Western Avenue, Los Angeles, on April 13 and 14, 1957. Is that information correct as to you?

Mr. BRODSKY. I will have to refuse that question on the grounds of self-incrimination.

Mr. TAVENNER. What are the various functionary positions that you have held in the Communist Party?

Mr. BRODSKY. I refuse to answer that question on the same grounds, sir.

Mr. TAVENNER. Were you not, as long ago as 1950, an organizer for the Western Division of the Los Angeles County Communist Party?

Mr. BRODSKY. I refuse that question on the same grounds, sir.

Mr. TAVENNER. Has not your specialty or your field of particular activity in the Communist Party related to organizational work and building up the numerical strength of the Communist Party?

Mr. BRODSKY. I refuse that question on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party as long ago as 1940?

Mr. BRODSKY. I refuse that question on the same grounds, sir.

Mr. TAVENNER. Were you not a member of the Young Communist League as early as 1935?

Mr. BRODSKY. I would refuse that on the same grounds, sir.

Mr. TAVENNER. Are you aware that upon the reorganization of the Communist Party in California by the establishment of a Northern and Southern District that the plan of the organization for the Southern District included the appointment of 62 District Council members?

Mr. BRODSKY. I would refuse on the grounds of self-incrimination.

Mr. TAVENNER. Who was chairman of the organizational meeting held on April 13 and 14, 1957?

Mr. BRODSKY. I would refuse on the grounds of self-incrimination.

Mr. TAVENNER. Healey Exhibit No. 10 is a document entitled, "The Constitution and Organizational Committee Moves the Following for Action by the Convention." A part of this resolution related to the organizational setup of the Communist Party in southern California. Did you play any part in that organizational effort?

Mr. BRODSKY. I refuse on the same grounds, sir.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BRODSKY. I refuse on the same grounds.

Mr. WALTER. We have no questions. The witness is excused.

Will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DAWSON. I do.

**TESTIMONY OF ADMIRAL GEORGE DAWSON, ACCOMPANIED BY
COUNSEL, HERBERT W. SIMMONS, JR.**

Mr. TAVENNER. Will you state your name, please?

Mr. DAWSON. Admiral George Dawson.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel.

Will counsel please identify himself for the record?

Mr. SIMMONS. Herbert W. Simmons, Jr., California Bar, 343 West Vernon.

Mr. TAVENNER. Los Angeles?

Mr. SIMMONS. That is right.

Mr. TAVENNER. When and where were you born, Mr. Dawson?

(The witness conferred with his counsel.)

Mr. DAWSON. Summerville, Tex., April 26, 1927.

Mr. TAVENNER. Where do you now reside?

(The witnesses conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel I refuse to answer that question on the grounds of the first and fifth amendment of the Constitution.

Mr. TAVENNER. The marshal's return on the service of the subpoena on you shows that you were served at 651½ West 59th Place, Los Angeles. Is that your residential address?

(The witness conferred with his counsel.)

Mr. DAWSON. I think I answered that question previously on the grounds of the first and fifth amendment to the Constitution. I refuse to answer that.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. DAWSON. Under advice of my counsel, I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. WALTER. You have merely been asked where you live. Do you feel if you told this committee where you live you might subject yourself to criminal prosecution?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the ground of the first and fifth amendment on advice of my counsel.

Mr. TAVENNER. When did you first come to California?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment upon the advice of my counsel.

Mr. WALTER. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution upon advice of my counsel.

Mr. TAVENNER. The committee has information that you were a delegate to the California State convention of the Communist Party held on January 19 and 20, 1957. Is that information correct?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the basis of the first and fifth amendments to the Constitution.

Mr. TAVENNER. Were you a delegate to the California State convention at the date indicated?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the basis of the first and fifth amendments to the Constitution of the United States of America.

Mr. TAVENNER. Were you a delegate to the Southern California District convention of the Communist Party on April 13 and 14, 1957?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States.

Mr. TAVENNER. The committee's investigation has shown that you were active in the Labor Youth League work in Los Angeles for a period of time. Will you tell the committee, please, whether you have at any time been connected with the Labor Youth League in Los Angeles?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. Mr. Chairman, I would like to ask the witness this question: Is it because counsel so advises you to answer in that way or do you, yourself, believe in good faith that if you answered that question it would subject you to criminal prosecution?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. Were you not in 1956 the legislative director of the Los Angeles County Labor Youth League?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States of America.

Mr. WALTER. You are directed to answer the question. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the ground of the first and fifth amendment of the Constitution of the United States.

Mr. WALTER. Do you feel if you admitted that you served in the Armed Forces of the United States that you would be subject to prosecution?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution.

Mr. TAVENNER. Were you not discharged from the United States Army for refusing to sign the required loyalty oath?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution to the United States.

Mr. TAVENNER. The committee is in possession of information indicating that there is a youth organization of the Communist Party in Los Angeles which is generally referred to as the Admiral Dawson Group. Will you state, please, whether or not you have been assigned by the Communist Party to serve as an adult in connection with the work of a group of the young Communist members in this area?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the United States.

Mr. TAVENNER. I may have misdescribed the organization I had in mind. The organization, as I understand it, is a group of former members of the Labor Youth League. Have you been assigned by the Communist Party to work with a group of former members of the Labor Youth League?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments to the Constitution of the United States of America.

Mr. TAVENNER. You are a member of the Youth Commission of the Communist Party of the Southern District of California at the present time, are you not?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first amendment to the Constitution and the fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. At the April 1957 meeting of the Communist Party of the Southern District of California, did you hear the report made by Dorothy Healey regarding youth organizational work?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first amendment to the Constitution and the fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. What is being done now in Los Angeles to implement the plans of the Communist Party with regard to youth in this area?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first amendment to the Constitution of the United States of America and the fifth amendment to the Constitution of the United States.

Mr. TAVENNER. Are you a member of the Communist Party now?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution of the United States.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SMITH. I do.

**TESTIMONY OF MRS. ELEANOR SMITH, ACCOMPANIED BY COUNSEL,
HERBERT W. SIMMONS, JR.**

Mr. TAVENNER. What is your name, please?

(The witness conferred with her counsel.)

Mrs. SMITH. Eleanor Smith.

Mr. TAVENNER. Miss or Mrs.?

(The witness conferred with her counsel.)

Mr. TAVENNER. You certainly do not have to consult with counsel to answer that question.

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. WALTER. You are directed to answer the question.

Mrs. SMITH. Same answer.

Mr. WALTER. Do you honestly believe that if you told this committee whether you were married you would be confronted with probable criminal prosecution?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. MOULDER. As I understand the question, the question was to determine whether or not she was acting in good faith.

You have not answered in response to the chairman's question.

(The witness conferred with her counsel.)

Mr. TAVENNER. It is noted that the witness is accompanied by the same counsel who accompanied the former witness.

His name is Herbert Simmons.

Mr. SIMMONS. My name is Herbert Simmons, 343 West Vernon, Los Angeles, Calif., of the California Bar.

Mr. TAVENNER. Where do you reside?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. WALTER. You are directed to answer the question as to where you reside.

(The witness conferred with her counsel.)

Mrs. SMITH. The same answer. I refuse to answer on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. The marshal's return shows that you were served at 651 West 59th Place, Los Angeles. Is that the place of your residence?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. The chairman propounded the question to you a few moments ago testing your good faith in using the Constitution as a protection in your refusal or declination to answer.

The questions that are being submitted to the witness are formal, introductory requests. Do you realize and understand that taking the position you do in refusing to answer any questions, regardless of what they might be, may possibly place you in a position of being subject to prosecution for contempt?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. I wanted the record to be clear that you are being advised by the committee of the position in which you are placing yourself by just taking a belligerent attitude in refusing to answer any question regardless of whom it is submitted by, either counsel or members of this committee.

Mr. TAVENNER. Are you acquainted with Admiral George Dawson?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. It is noted his address is 651½ West 59th Place, which must be next door to you. Doesn't he live next door to you?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. At this time you are a member of the Communist Party in this area, are you not?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. Are you now a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. How are you employed?

(The witness conferred with her counsel.)

Mrs. SMITH. I am unemployed.

Mr. TAVENNER. What was your last employment?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. Do you appear here pursuant to a subpoena served on you?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. Let the record show that the witness has stated her name and that she has been unemployed.

How long have you been unemployed?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. YOUNG. I do.

TESTIMONY OF CLARENCE GEORGE YOUNG, ACCOMPANIED BY
COUNSEL, HERBERT W. SIMMONS, JR.

Mr. TAVENNER. State your name, please.

Mr. YOUNG. My name is Clarence George Young.

Mr. TAVENNER. Counsel will please identify himself for the record.

Mr. SIMMONS. Herbert W. Simmons, Jr., California Bar, 343 West Vernon, Los Angeles, Calif.

Mr. TAVENNER. Where do you live, Mr. Young?

Mr. YOUNG. I refuse to answer that question on the fifth amendment.

Mr. WALTER. You are here in response to a subpoena, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. Would you repeat the question, please?

(The pending question was read by the reporter.)

Mr. YOUNG. I refuse to answer that question on the ground of the first and fifth amendment.

Mr. WALTER. What are you doing here then, if you are not appearing in response to a subpoena?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. JOHANSEN. Would you not have very seriously incriminated yourself if you had not responded to the subpoena?

(The witness conferred with his counsel.)

Mr. YOUNG. I don't understand the question that you just asked.

Mr. MOULDER. The point is to find out whether or not you are the proper person appearing here as a witness as a result of the issuance of a subpoena. If you are the wrong man, then most certainly an error has been committed. What is the name on the subpoena?

Mr. TAVENNER. Clarence Young.

Mr. MOULDER. Is that your name?

Mr. YOUNG. I stated that when I came in here.

Mr. MOULDER. What is your address?

Mr. YOUNG. I refused to answer that question.

Mr. MOULDER. What does the subpoena served show?

Mr. TAVENNER. The subpoena shows it was served upon Clarence Young at Consolidated Western Steel at 5700 South Eastern.

Mr. MOULDER. Is this the right man?

Mr. TAVENNER. Was this paper served on you or a copy of it?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer that question on the ground of the fifth amendment.

Mr. JOHANSEN. Why are you here?

(The witness conferred with his counsel.)

Mr. YOUNG. Repeat the question, please?

Mr. JOHANSEN. Why are you here?

Mr. YOUNG. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Did you employ an attorney before you came into this room?

(The witness conferred with his counsel.)

Mr. YOUNG. Yes; I did acquire an attorney and he is sitting here by my side.

Mr. TAVENNER. Why did you do that if you were not subpoenaed here as a witness?

(The witness conferred with his counsel.)

Mr. YOUNG. I don't particularly understand that question as you put it.

Mr. TAVENNER. Why would you go to the trouble of getting a lawyer to come here with you unless you were subpoenaed by the marshal to come?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Let me see your driver's permit.

(The witness conferred with his counsel.)

Mr. TAVENNER. You have handed me your driver's permit which is in the name of Clarence George Young, address, 6511½ West 59th Place, Los Angeles. Did you not live at that address in September of last year, 1958?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment as previously stated.

Mr. TAVENNER. You do not live at the address on your driver's permit now, do you?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. You have changed your address from that now appearing on your driver's permit to 1503 Broadacres, Compton, have you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. You are employed by Consolidated Western Steel at 5700 South Eastern, Los Angeles, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds previously stated.

Mr. MOULDER. In order to make the record clear, may I interpose this statement: First, to explain to the witness that the normal questions now being submitted to you are, as I would understand it, to ascertain whether or not you are the proper witness named in the subpoena. It is a very simple proposition and certainly there is no question about the authority of this committee to issue subpoenas.

The witness has refused to give us the information to ascertain whether or not the person intended to be subpoenaed is you and you have refused to answer those questions. Now, you understand, do you not, that by so refusing you may be placing yourself in the position of being in contempt of this committee and the Congress of the United States and subject to prosecution for refusing to answer those questions. You do understand that, do you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I still refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Mr. Young, in any event, you are the Clarence Young who was on the organizing committee of the Labor Youth League in Los Angeles, are you not?

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. TAVENNER. Do you occasionally engage in the work of an artist or cartoonist?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Are you the Clarence Young who was active in the Independent Progressive Party in 1947?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Where were you born?

Mr. YOUNG. I was born in New Orleans, La.

Mr. TAVENNER. You came to Los Angeles from New Orleans in 1947, did you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the first and fifth amendments.

Mr. TAVENNER. You have done work in drawing cartoons under the alias of "Clay" for the Pacific Coast Youth Recorder, a defunct official organ of the Labor Youth League, have you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the questions on the grounds of the first and fifth amendments.

Mr. TAVENNER. You are the Clarence Young who has been active in the Young Progressives of America, the Civil Rights Congress, and the American Youth Peace Crusade, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. TAVENNER. You are the Clarence Young who is a member of the District Council of the Communist Party for the Southern District of California at this time, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. Do you still refuse to answer the question as to whether or not a subpoena was served upon you to appear before this committee?

(The witness conferred with his counsel.)

Mr. SIMMONS. For the purpose of the record, I will stipulate that he is one and the same person.

Mr. MOULDER. I am asking the witness. Were you subpoenaed and are you appearing here as the result of a subpoena being served upon you?

(The witness conferred with his counsel.)

Mr. YOUNG. Would you repeat the question again, please?

(The pending question was read by the reporter.)

Mr. YOUNG. Yes. I did receive a subpoena and I am here because of that reason.

Mr. JOHANSEN. Then, it was not a truthful statement which you made under oath that to answer that question would jeopardize your rights under the first and fifth amendments?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the ground of the first and fifth amendment.

(Whereupon, at 12:07 p.m., Tuesday, February 24, 1959, the hearing was recessed, to be reconvened at 2 p.m., the same day.)

AFTERNOON SESSION, TUESDAY, FEBRUARY 24, 1959

Mr. MOULDER (presiding): The committee will be in order. Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss BLAIR. I do.

TESTIMONY OF HELEN BLAIR, ACCOMPANIED BY COUNSEL, ROBERT W. KENNY AND J. FRANKEL

Mr. TAVENNER. State your name, please.

Miss BLAIR. Helen Blair.

Mr. TAVENNER. Miss or Mrs.?

Miss BLAIR. I use Miss. I am divorced.

Mr. TAVENNER. It is noted that you are accompanied by two gentlemen. Will they please identify themselves for the record?

Mr. KENNY. Robert W. Kenny.

Mr. FRANKEL. J. Frankel.

Mr. TAVENNER. You are both members of the State Bar of California?

Mr. KENNY. Yes, sir.

Mr. FRANKEL. Yes, sir.

Mr. TAVENNER. Where do you reside, Miss Blair?

Miss BLAIR. 1774 North Orange Grove Avenue, Hollywood.

Mr. TAVENNER. Are you a native of the State of California?

Miss BLAIR. No.

Mr. TAVENNER. Where were you born?

Miss BLAIR. Michigan.

Mr. TAVENNER. How long have you lived in California?

Miss BLAIR. Since 1932.

Mr. TAVENNER. What is your occupation?

Miss BLAIR. I am unemployed at the moment. I was self-employed for a period and then I have done free-lance secretarial work. Part of the time I was married and then I had jobs.

Mr. TAVENNER. What type of employment when you were self-employed?

Miss BLAIR. In the silk screen art business.

Mr. TAVENNER. What has been your formal educational training?

Miss BLAIR. I graduated from the Morenci, Mich., high school and attended the University of Michigan for a year and then, later, went to a business school, both in Boston and in Washington, D.C.

Mr. TAVENNER. The committee's information is that you attended the organizational meeting of the newly formed Southern California District organization of the Communist Party which was held on April 13-14, 1957. I would like to ask you whether you did attend that convention.

Miss BLAIR. I will decline to answer that question on the grounds of the fifth amendment.

Mr. TAVENNER. Did you receive in advance of that convention a report by a Dorothy Healey regarding the National Committee meeting of the Communist Party held in February 1957?

Miss BLAIR. I decline to answer that on the same grounds as previously stated.

Mr. TAVENNER. Dorothy Healey presented at the meeting to which I referred, the one of April 13-14, 1957, a program for the advancement of the Communist Party in this area. Have you participated in any way in the advancement of that program?

Miss BLAIR. This question I also refuse to answer on the same grounds.

Mr. MOULDER. Miss Blair, do you know Dorothy Healey?

Miss BLAIR. This question I refuse to answer on the same grounds.

Mr. TAVENNER. Are you personally acquainted with the program of reorganization of the Communist Party in the Los Angeles area?

Miss BLAIR. I refuse to answer this question on the same grounds as previously stated.

Mr. TAVENNER. Were you a member of the executive board of the Southern California Chapter of the Arts, Sciences, and Professions?

Miss BLAIR. This question I decline to answer on the same grounds.

Mr. TAVENNER. You stated that you are divorced. Was your married name Helen B. Stewart?

(The witness conferred with her counsel.)

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. The committee from time to time has included in its investigation the activities of the Communist Party in connection with the Rosenberg case. Were you active in the work of the Committee to Secure Justice in the Rosenberg Case back in the year 1953?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of a letterhead under the date of July 2, 1953, of the Committee to Secure Justice in the Rosenberg Case, and ask you to examine the seventh name in the list of sponsors and state whether or not you find your name there as one of the sponsors of that organization.

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Miss BLAIR. I refuse to answer this question on the same grounds.

Mr. TAVENNER. I desire to introduce the document and ask that it be marked "Helen Blair Exhibit No. 1."

Mr. MOULDER. It will be so marked and made a part of the record.

(Document marked "Helen Blair Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. I hand you a thermofax copy of an excerpt from the September 11, 1952, issue of the People's World, and I ask if you see there an item headed, "24 Sponsor Rosenberg LA Meeting."

(Document handed to witness.)

Miss BLAIR. This I decline to answer also on the same grounds.

Mr. TAVENNER. I desire to introduce this document into evidence and request that it be marked Helen Blair Exhibit No. 2.

Mr. MOULDER. The document will be so marked and made a part of the record.

(Document marked "Helen Blair Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. I read into the record a part of this document with the chairman's permission:

Twenty-four prominent Southern Californians were listed today as sponsors for Friday's rally to secure justice for Ethel and Julius Rosenberg, sentenced to die in a frameup "spy" case. Atty. William Esterman, local chairman of the National Lawyers Guild, will chair the meeting at 8:30 p.m., Sept. 12, at Embassy auditorium, Ninth st. and Grand ave.

Speakers will include John Howard Lawson, Samuel Ornitz and Horace V. Alexander. * * *

On the sponsors list are Dr. Murray Abowitz, Jack Berman, Helen Blair, and others named there. Were you a sponsor of the meeting described in this article?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you know William Esterman as a member of the Communist Party?

Miss BLAIR. I decline to answer that question, also, on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party in 1952, the date of Blair Exhibit No. 2, and, also, on July 2, 1953, the date of the letterhead of the Committee to Secure Justice in the Rosenberg Case?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Will you tell the committee, please, what knowledge you have of the activity of the Communist Party in this area in

the promotion of the work of the Committee to Secure Justice in the Rosenberg Case?

Miss BLAIR. I decline to answer that question, also, on the same grounds.

Mr. TAVENNER. Were you a sponsor of the Los Angeles Committee for Protection of Foreign Born in a conference held on February 28, 1954, on the campaign to repeal the Walter-McCarran Law?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. I hand you a thermofax copy of an excerpt from the February 2, 1954, issue of the People's World and ask you to state whether or not you see there a statement that joining the committee in sponsorship of the conference were Dr. Murray Abowitz, Jacob Aspi, Helen Blair, and certain other persons?

Miss BLAIR. Same answer.

Mr. MOULDER. May I pursue the statement here for a moment?

The question is, do you see that on that document? The document is handed to you and it is a very simple question. Does your name appear in the article?

Miss BLAIR. I refuse to answer that question on the grounds of the fifth amendment.

Mr. TAVENNER. Did you participate in a sponsorship of that movement?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. I desire to introduce the document in evidence and ask that it be marked "Helen Blair Exhibit No. 3."

Mr. MOULDER. It will be admitted into evidence as requested by counsel.

(Document marked "Helen Blair Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. Did I ask you where you were born?

Miss BLAIR. Yes; Morenci, Mich.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss BLAIR. I decline to answer that question on the same grounds as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. You came to California from Michigan?

Miss BLAIR. Yes.

Mr. MOULDER. In what year?

Miss BLAIR. 1932.

Mr. MOULDER. You say by professional occupation you are a stenographer, self-employed?

Miss BLAIR. Yes. I do free-lance work, mostly.

Mr. MOULDER. Do you work out of an office?

Miss BLAIR. Occasionally.

Mr. MOULDER. Do you have a headquarters?

Miss BLAIR. Not in other offices.

Mr. MOULDER. You are just subject to call at your residence?

Miss BLAIR. Yes.

Mr. MOULDER. How long have you been here in California?

Miss BLAIR. It is 25 years.

Mr. MOULDER. During that period of time were you permanently or continuously occupied in any office?

Miss BLAIR. At various times for periods of a couple of years.

Mr. MOULDER. Law offices or other business enterprises?

Miss BLAIR. A couple of short periods in law offices, generally in small industry or other offices.

Mr. MOULDER. In the performance of such service, were you ever called upon to perform services for any Communist Party organization?

Miss BLAIR. I decline to answer that question on the same grounds as previously stated.

Mr. TAVENNER. Did you live at one time in Seattle, Wash.?

Miss BLAIR. No.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. The witness is excused.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BISKAR. I do.

**TESTIMONY OF ETHEL BISKAR, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN**

Mr. TAVENNER. Will you state your name, please?

Mrs. BISKAR. Mrs. Ethel Biskar.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. I am John T. McTernan, 112 West 9th Street, Los Angeles, 15.

Mr. TAVENNER. When and where were you born, Mrs. Biskar?

Mrs. BISKAR. I was born in New York City in 1935.

Mr. TAVENNER. Where do you now reside?

Mrs. BISKAR. Los Angeles.

Mr. TAVENNER. What is your address?

Mrs. BISKAR. 4112 Palmwood Drive.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. BISKAR. Ten years.

Mr. TAVENNER. Prior to that, where did you live?

Mrs. BISKAR. New York City.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. BISKAR. Junior high school, senior high school, and junior college.

Mr. TAVENNER. What has been your employment record since you have been in Los Angeles?

(The witness conferred with her counsel.)

Mrs. BISKAR. It is very difficult for me to remember each job. Do you want me to go into every job I have ever had?

Mr. TAVENNER. What is your present employment?

Mrs. BISKAR. I am employed by the Pacific Telephone and Telegraph Co.

Mr. TAVENNER. For how long?

Mrs. BISKAR. Four and a half years.

Mr. TAVENNER. Prior to that, what was your employment?

Mrs. BISKAR. I worked for an insurance company.

Mr. TAVENNER. For how long a period?

Mrs. BISKAR. About 6 months.

Mr. TAVENNER. Prior to that, how were you employed?

Mrs. BISKAR. I worked in the garment industry.

Mr. TAVENNER. What phase of the garment industry?

Mrs. BISKAR. I was an operator.

Mr. TAVENNER. Over what period of time were you so employed?

Mrs. BISKAR. The year was 1953.

Mr. TAVENNER. Mrs. Biskar, the committee's investigation has disclosed that on January 20, 1957, you were a delegate to the California State convention of the Communist Party held in Los Angeles; is that information correct?

Mrs. BISKAR. I am going to have to refuse to answer that question on, first of all, the grounds of the first amendment which gives me freedom of speech, press, assembly, etc., and also, on the grounds that I feel if I were to answer this question I would be undermining the traditional liberties and rights of the people of this country.

I also refuse to answer this question on the grounds of the fifth amendment.

Mr. TAVENNER. Were you a member of the Communist Party in 1957?

(The witness conferred with her counsel.)

Mr. TAVENNER. To be more specific, on January 20, 1957.

Mrs. BISKAR. I will have to refuse to answer on the grounds previously stated.

Mr. TAVENNER. Do you think it would undermine the rights of the people of this country if you were to tell this committee what you know about communism in Los Angeles?

Mrs. BISKAR. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you in attendance at the organizational meeting of the Southern District of the Communist Party for the State of California held in Los Angeles on April 13-14, 1957?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Were you a member of the Communist Party at that time?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. The committee has information that you are presently under assignment of the Communist Party in youth work. Are you engaged in that type of work for the Communist Party?

Mrs. BISKAR. I will refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you at this time a member of the Youth Commission of the Communist Party for the Southern District of California?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Prior to the reorganization of the Communist Party in Southern California in April of 1957, had you at any time been a member of the Labor Youth League?

Mrs. BISKAR. I will have to refuse to answer that on the same grounds.

Mr. TAVENNER. Did you attend a meeting of the Labor Youth League at the Danish Auditorium, 1359 West 24th Street, on February 17, 1956?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Did you attend a lecture on dialectical materialism given by Frank Carlson before the Los Angeles County Labor Youth League on August 16, 1956, at a meeting held at 1251 South Andrews Place in Los Angeles?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. What is the answer?

Mrs. BISKAR. The same answer.

Mr. TAVENNER. In other words, you refuse to answer?

Mrs. BISKAR. On the grounds that I have already stated.

Mr. TAVENNER. The committee's investigation discloses that the Labor Youth League was dissolved on February 24, 1957. Were you a member of it at the time of its dissolution?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. During the course of this hearing—in fact that phase of it which was held in September of 1958—there was introduced in evidence a copy of a letter known as the letter of the 22 persons who signed grievances against the Communist Party. That is, by 22 persons who were members of the Communist party.

Are you acquainted with the preparation of that letter?

Mrs. BISKAR. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Subsequent to that, there was a letter of resignation sent into the Communist Party under date of March 26, 1958. Do you know anything about the preparation of that letter?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Are you aware of the fact that the persons who signed that letter of resignation did so in part for the reason that the Communist Party was under the complete control of the Soviet Union?

Mrs. BISKAR. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Did anyone approach you about the signing of a letter of resignation?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Do you know how many youth group organizations there are in the Communist Party in Los Angeles at this time?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Do you know whether adult members of the Communist Party are, or have been, assigned to these groups of young Communists for the purpose of directing them in their studies?

Mrs. BISKAR. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. I have one or two questions which I think should go into the record.

You say you were born in New York?

Mrs. BISKAR. That is true.

Mr. MOULDER. You came to California at what age?

Mrs. BISKAR. Thirteen.

Mr. MOULDER. You came here with your parents?

Mrs. BISKAR. Yes.

Mr. MOULDER. Were they born in New York?

Mrs. BISKAR. I don't see where this has any bearing on this investigation.

Mr. MOULDER. Maybe not. It is just preliminary questioning into your background. I was wondering whether your people were born in America or if they were naturalized.

(The witness conferred with her counsel.)

Mrs. BISKAR. I do not think it is pertinent to this investigation.

Mr. MOULDER. I do not have any other questions. Do you have any questions, Mr. TAVENNER?

Mr. TAVENNER. I have no other questions.

Mr. MOULDER. You are excused.

Raise your right hand, please.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ENFIAJIAN. I do.

TESTIMONY OF EDWARD M. ENFIAJIAN, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mr. ENFIAJIAN. My name is Edward M. Enfiajian.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 Northwest 9th Street, Los Angeles.

Mr. TAVENNER. When and where were you born?

Mr. ENFIAJIAN. I was born in Los Angeles in 1928.

Mr. TAVENNER. Where do you now reside?

Mr. ENFIAJIAN. 944 North Western Avenue, Los Angeles, 29.

Mr. TAVENNER. Have you lived in Los Angeles all your life?

Mr. ENFIAJIAN. I have, sir.

Mr. TAVENNER. What has been your formal educational training?

Mr. ENFIAJIAN. I was educated in the public schools in Los Angeles, Los Angeles City College, and I have a bachelor of arts degree from Los Angeles State College and I have done graduate work since then.

Mr. TAVENNER. When were you awarded your B.A. degree?

Mr. ENFIAJIAN. I am not sure of the date. I believe it was in 1954 or 1955. It was in the summer.

Mr. TAVENNER. How are you employed?

Mr. ENFIAJIAN. I am employed as an engraver, a trophy engraver, and related work.

Mr. TAVENNER. How long have you been so employed?

Mr. ENFIAJIAN. About 4 years.

Mr. TAVENNER. The committee's investigation has disclosed that the first interest that you have shown in the Communist Party was around the year 1956 when you became active in the Labor Youth League.

Did your first interest in the Communist Party begin at that time and in that phase of Communist work?

Mr. ENFIAJIAN. Are you asking me of my interests?

Mr. TAVENNER. Was that your first interest in the Communist Party?

(The witness conferred with his counsel.)

Mr. ENFIAJIAN. Would you repeat that question, please?

Mr. TAVENNER. Is the committee's information correct that your first interest in the Communist Party was during the year 1956?

Mr. ENFIAJIAN. I will have to decline to answer that question, sir, on the constitutional grounds which are afforded me.

Mr. TAVENNER. The constitutional grounds?

Mr. ENFIAJIAN. That's right, sir.

Mr. TAVENNER. What constitutional grounds?

Mr. ENFIAJIAN. I have specifically in mind the first amendment of the Constitution and the fifth amendment of the Constitution and other privileges granted by the Federal Constitution.

Mr. TAVENNER. Are you including that provision of the fifth amendment relating to self-incrimination?

Mr. ENFIAJIAN. Yes, sir, I am including that.

Mr. TAVENNER. Were you active in the Labor Youth League work of the Communist Party in 1956?

Mr. ENFIAJIAN. I will not answer that question for the same grounds.

Mr. TAVENNER. As a matter of fact, were you not on the finance committee of the Labor Youth League?

Mr. ENFIAJIAN. I decline to answer that question on the same grounds.

Mr. TAVENNER. The committee has introduced into evidence during the course of these hearings a statement purportedly made by Dorothy Healey at the organizational meeting of the Communist Party in April of 1957 in which she outlined the program of the youth work of the Communist Party. We have introduced evidence relating to the type of youth work performed since that time in conformity with that program.

Now, I want to ask you whether or not you were at any time, or whether you have at any time since April 1957, been a member of the Youth Commission of the Communist Party for the Southern District of California.

Mr. ENFIAJIAN. I will decline to answer that question on the same grounds, sir.

Mr. TAVENNER. Is it not a fact that in October of 1958 you were given a position on the section level of the Communist Party in Southern California which made it inadvisable for you to continue work with the Youth Commission?

Mr. ENFIAJIAN. Are you asking me a question, sir?

Mr. TAVENNER. Yes.

Mr. ENFIAJIAN. Would you mind restating the question?

Mr. TAVENNER. Is it not a fact that you were given a position in October of 1958 on the section level of the Communist Party which necessitated your removal from the position of a member of the Youth Commission of the Communist Party?

Mr. ENFIAJIAN. I will not answer that question on the same grounds, sir.

Mr. TAVENNER. Were you a member of the Communist Party in October, 1958?

Mr. ENFIAJIAN. I will not answer that question for the same grounds.

Mr. TAVENNER. Are you at this time organizational secretary of the Communist Party?

Mr. ENFIAJIAN. I decline to answer that question on the same grounds, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. What did you say your age was?

Mr. ENFIAJIAN. I said I was born in 1928.

Mr. MOULDER. Have you ever served in the Armed Forces of the United States?

Mr. ENFIAJIAN. I have.

Mr. MOULDER. In what capacity and what period of time?

Mr. ENFIAJIAN. I enlisted in the Air National Guard of California and that unit was called into Federal service on May 1, 1951. I served until 1953 in the Air Force of the United States.

Mr. MOULDER. You were discharged?

Mr. ENFIAJIAN. I was.

Mr. MOULDER. Did you receive an honorable discharge?

Mr. ENFIAJIAN. Yes, sir.

Mr. MOULDER. Are you married?

Mr. ENFIAJIAN. No, sir.

Mr. MOULDER. What is your present occupation?

Mr. ENFIAJIAN. I am doing engraving work for a trophy shop.

Mr. JOHANSEN. Did you, as a member of the Armed Forces, take an oath stating that you were not a member of any organization committed to the overthrow of the Government of the United States by force and violence?

Mr. ENFIAJIAN. I decline to answer that question, sir, on the same grounds.

Mr. JOHANSEN. Do I understand you, then, to say that you believe that it would incriminate you to answer a factual question as to whether you did take such an oath?

(The witness conferred with his counsel.)

Mr. ENFIAJIAN. My attorney advises me that I do not have to state the reason for claiming my privileges under the Constitution.

Mr. JOHANSEN. You were honorably discharged?

Mr. ENFIAJIAN. That is correct.

Mr. JOHANSEN. Did you serve in Korea?

Mr. ENFIAJIAN. No, sir, I did not. The principal part of my service was in Germany.

Mr. TAVENNER. Were you a member of the Communist Party before you became a member of the Armed Forces?

Mr. ENFIAJIAN. I decline to answer that question, sir, on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Were you a member of the Communist Party at any time while serving in the Armed Forces?

Mr. ENFIAJIAN. I decline to answer that question, sir, on the same grounds.

Mr. MOULDER. Were you a member of any organization which seeks to overthrow our present form of Government by force or violence?

Mr. ENFIAJIAN. I decline to answer that question on the same grounds.

Mr. MOULDER. The witness is excused.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAYMUDES. I do.

**TESTIMONY OF AUGUST MAYMUDES, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN**

Mr. TAVENNER. Will you state your name, please?

Mr. MAYMUDES. August Maymudes.

Mr. TAVENNER. Spell your last name.

Mr. MAYMUDES. M-a-y-m-u-d-e-s.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 West Ninth Street, Los Angeles 15, Calif.

Mr. TAVENNER. When and where were you born?

Mr. MAYMUDES. I was born August 25, 1930, in the city of New York.

Mr. TAVENNER. Where do you now reside?

Mr. MAYMUDES. At 811 or 813 North Hiberian. There are two apartments with a common entrance and I have never been quite sure.

Mr. TAVENNER. Los Angeles?

Mr. MAYMUDES. Yes.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. MAYMUDES. Since 1933.

Mr. TAVENNER. What is your occupation?

Mr. MAYMUDES. Pharmacist.

Mr. TAVENNER. How long have you been following that occupation?

Mr. MAYMUDES. I have been employed in the field for 8 years. I have been a licensed pharmacist for about a year and a half.

Mr. TAVENNER. Will you tell the committee briefly, please, what your formal educational training has been?

Mr. MAYMUDES. Public schools in Los Angeles through high school and a degree in doctor of pharmacy from the University of Southern California.

Mr. TAVENNER. Are you acquainted with Shifra Goldman?

(The witness conferred with his counsel.)

Mr. MAYMUDES. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. TAVENNER. Are you also acquainted with Edward M. Enfajian?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Admiral Dawson?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Ethel Biskar?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. And Charlene Mitchell?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Eleanor Smith?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Mr. Maymudes, are you familiar with a report made by Dorothy Healey at the organizational meeting of the Communist

Party for the Southern District of California held in April, 1957, relating to the youth movement in southern California?

(The witness conferred with his counsel.)

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. Shortly after that meeting, in April of 1957, were you appointed to the Youth Commission of the Communist Party composed of the persons whose names I asked you about a few moments ago?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Youth Commission of the Communist Party for the Southern District of California?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. Have you served in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. MAYMUDES. Yes, I have.

Mr. TAVENNER. Over what period of time?

Mr. MAYMUDES. From March of 1951 until February of 1953.

Mr. TAVENNER. In what branch of the service were you?

Mr. MAYMUDES. I was in the Army.

Mr. TAVENNER. Did you receive an honorable discharge?

Mr. MAYMUDES. Yes, I did.

Mr. TAVENNER. Were you a member of the Communist Party prior to your entry into the armed service?

Mr. MAYMUDES. I refuse to answer on the same grounds as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were serving in the Armed Forces of the United States?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. In what area did you serve? Were you in Korea?

Mr. MAYMUDES. I served in Japan the majority of my time.

Mr. TAVENNER. Were you in Korea during any part of your service?

Mr. MAYMUDES. No.

Mr. JOHANSEN. Did you, upon entering the Army, take an oath swearing that you belonged to no organization which advocated the overthrow of the Government by force and violence?

(The witness conferred with his counsel.)

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. JOHANSEN. Are you a member of the Communist Party now?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. The witness is excused.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GOLDMAN. I do.

TESTIMONY OF SHIFRA GOLDMAN, ACCOMPANIED BY COUNSEL, ESTHER SHANDLER

Mr. TAVENNER. State your name, please.

Mrs. GOLDMAN. Shifra Goldman.

Mr. TAVENNER. Miss or Mrs.?

Mrs. GOLDMAN. Mrs.

Mr. TAVENNER. Spell your first name, please.

Mrs. GOLDMAN. S-h-i-f-r-a.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself?

Miss SHANDLER. Esther Shandler.

Mr. TAVENNER. What was your maiden name, Mrs. Goldman?

Mrs. GOLDMAN. Before I answer that question, I would like to inquire to the nature of this discussion here today.

Mr. MOULDER. May we ask counsel for additional information concerning her location and so forth?

Miss SHANDLER. I am located at 208 West 8th Street, Los Angeles.

Mr. TAVENNER. The witness has asked to be advised with respect to this hearing.

At the beginning of this meeting, the chairman announced that this is a continuation of the hearing begun here in September of 1958. He read into the record the resolution adopted by this committee on the 23d of January 1959, authorizing the holding of this hearing, which I will review with you. The resolution is as follows:

Be it resolved, That a hearing by the Committee on Un-American Activities, or a subcommittee thereof, to be held in Los Angeles, Calif., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the extent, character and objects of Communist Party activities in California, with special reference to such activities in southern California, the legislative purpose being:

1. (a) To obtain additional information for use by the committee in its consideration of section 16 of H.R. 9352 relating to the proposed amendment of section 4 of the Communist Control Act of 1954 referred to the Committee on Un-American Activities on August 19, 1957, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof; and

- (b) To obtain additional information, adding to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense, and for internal security, when and if the exigencies of the situation require it.

2. In the exercise of continuous watchfulness of the execution by the administrative agency concerned of laws the subject matter of which is within the jurisdiction of this committee, to obtain information to assist the House in appraising the administration of such laws and in developing such amendments or related legislation as the committee may deem necessary.

Now, my question to you is, will you please state your maiden name?

Mrs. GOLDMAN. In view of what you just read to me, what relevancy does my maiden name have to your discussion?

Mr. TAVENNER. May I have a direction? It is a matter of identification of the witness.

Mr. MOULDER. It is purely an introductory statement asked of you so you may identify yourself for the record as a witness subpoenaed here before this committee and you are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. GOLDMAN. If I understand the question correctly, you want my identification. I have identified myself as the person identified in the subpoena.

Mr. TAVENNER. Will you please answer my question?

(The witness conferred with her counsel.)

Mr. TAVENNER. I am not certain whether the chairman directed her to answer the question.

Mr. MOULDER. Yes, she has been directed to answer the question.

Mrs. GOLDMAN. I feel that this is an invasion of my rights under the Constitution of the United States to freedom of speech and association and I will claim the privileges of the two amendments that guarantee me these rights, the first and the fifth amendment.

Mr. TAVENNER. Are you relying upon that part of the fifth amendment which relates to self-incrimination?

Mrs. GOLDMAN. I would say the right of a witness not to testify against himself, yes.

Mr. TAVENNER. Do you honestly believe that to answer the question as to what your maiden name was would tend to incriminate you?

(The witness conferred with her counsel.)

Mr. TAVENNER. If you do not honestly believe that, you are just attempting to play with this committee.

Mrs. GOLDMAN. I stand on the same answer I gave previously.

Mr. MOULDER. I did not understand the witness' name stated in the beginning. What did you say it was?

Mrs. GOLDMAN. G-o-l-d-m-a-n.

Mr. MOULDER. What is the first name?

Mrs. GOLDMAN. S-h-i-f-r-a.

Mr. MOULDER. Is that Miss or Mrs.?

Mrs. GOLDMAN. As I stated before, it is Mrs.

Mr. MOULDER. Then you are married?

Mrs. GOLDMAN. No, I am not.

Mr. MOULDER. You are divorced?

Mrs. GOLDMAN. Yes, I am.

Mr. MOULDER. Since you answered those questions concerning your marital status, will you tell us what your name was before you were married?

Mrs. GOLDMAN. I would like to decline to answer the question on the same grounds previously stated.

Mr. TAVENNER. When and where were you born?

Mrs. GOLDMAN. I was born in the United States in 1926.

Mr. TAVENNER. In what part of the United States?

Mrs. GOLDMAN. New York.

Mr. TAVENNER. Will you state the date and place, please?

Mrs. GOLDMAN. 1926; that makes me 32 years old.

Mr. TAVENNER. Where do you now reside?

Mrs. GOLDMAN. Los Angeles.

Mr. TAVENNER. At what address?

Mrs. GOLDMAN. 4419 Seventh Avenue.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. GOLDMAN. Approximately 15 years.

Mr. TAVENNER. Have you lived in Los Angeles continuously since that date?

Mrs. GOLDMAN. Yes, I have.

Mr. TAVENNER. Tell the committee what your formal educational training has been.

Mrs. GOLDMAN. I graduated high school and I proceeded to college.

Mr. TAVENNER. Where did you attend college?

Mrs. GOLDMAN. The University of California at Los Angeles.

Mr. TAVENNER. How many years did you attend?

Mrs. GOLDMAN. Four and a half years.

Mr. TAVENNER. What was your last year of attendance?

Mrs. GOLDMAN. Do you mean which year did I leave the school?

Mr. TAVENNER. Yes.

Mrs. GOLDMAN. 1948.

Mr. TAVENNER. That was your last attendance?

Mrs. GOLDMAN. Yes.

Mr. TAVENNER. What is your profession?

Mrs. GOLDMAN. I am a bookkeeper.

Mr. TAVENNER. How long have you been employed as such?

Mrs. GOLDMAN. It has been several years, about 4 years or thereabouts. Three or four years.

Mr. TAVENNER. Mrs. Goldman, the committee has introduced in evidence as Healey Exhibit No. 7, a report which she made to the Communist Party Southern District of California convention held on April 13, 1957. A part of that report deals with the youth movement of the Communist Party. Are you familiar with that part of her report?

Mrs. GOLDMAN. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Shortly after the report made by her in April 1957, did you take any part in the implementation of the program for the Communist youth in this area?

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. TAVENNER. Were you not a member and are you not now a member of the Youth Commission of the Communist Party for the Southern District of California?

Mrs. GOLDMAN. I decline on the same grounds.

Mr. TAVENNER. Is there not a youth group in existence now which is known as the Shifra Goldman Study Group?

Mrs. GOLDMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Are you now engaged in the education of youth in Communist principles in this area?

Mrs. GOLDMAN. I decline on the same grounds. I wish to state that I am going to decline all answers to these questions on that same ground.

Mr. MOULDER. Do you take the position that you are not going to answer any questions?

Mrs. GOLDMAN. No; I did not say that. I mean this type of question.

Mr. MOULDER. Do you have any knowledge of any subversive or disloyal acts on the part of any person whom you would consider to be a danger to our form of Government?

(The witness conferred with her counsel.)

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. MOULDER. Do you have any knowledge whatsoever concerning any action being taken by any organization involved with, and in co-operation with, the Communist conspiracy or the Soviet Union, Mrs. Goldman?

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. MOULDER. In other words, you are taking the position that you will not answer any questions as an American citizen concerning anything which might endanger our Government, our people of America, is that correct?

(The witness conferred with her counsel.)

Mrs. GOLDMAN. As I stated, I am not going to answer any questions which invade my rights under the first and fifth amendment. That is what I meant when I said I would not answer such questions.

Mr. JOHANSEN. Do you mean you will invoke such rights but you will decline to answer any questions which relate to a threat to the Government and the Constitution which guarantees the very rights you enjoy?

Mrs. GOLDMAN. I invoke my rights and I think I have explained why I invoked them and I am still invoking them, if that is in answer to your question.

Mr. TAVENNER. I referred to what the committee has ascertained to be a youth group of the Communist Party which goes by the name of the Shifra Goldman Group. Is it correct that the age-spread of the members of that youth group is 17 to 30 years?

Mrs. GOLDMAN. I decline to answer on the same grounds.

Mr. TAVENNER. What percentage of that group is ready for induction into regular membership in the Communist Party at this time?

Mrs. GOLDMAN. I decline on the same grounds.

Mr. TAVENNER. Is it the practice in your group to have different functionaries of the Communist Party appear before the group as instructors?

Mrs. GOLDMAN. I decline on the same grounds.

Mr. MOULDER. You are an American citizen, are you not?

(The witness conferred with her counsel.)

Mrs. GOLDMAN. Yes, I am.

Mr. JOHANSEN. Have you ever served as a member of any branch of the Armed Forces?

Mrs. GOLDMAN. No, I have not. I was not old enough.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. You are excused.

The committee will recess until 9:30 a.m., tomorrow.

(Whereupon, at 3:40 p.m., Tuesday, February 24, 1959, the hearing was recessed, to be reconvened at 9:30 a.m., on the following day.)

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

WEDNESDAY, FEBRUARY 25, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.
EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to notice at 9:30 a.m., in Room 229 Federal Building, Los Angeles, Calif., Hon. Francis E. Walter, chairman, presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, Morgan M. Moulder, of Missouri, and August E. Johansen, of Michigan.

Staff members present: Frank S. Tavenner, Jr., counsel; and William A. Wheeler, investigator; Mrs. William A. Wheeler, acting clerk. Chairman WALTER. The committee will come to order.

TESTIMONY OF MATILDA MOLINA TOLLY, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. WALTER. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TOLLY. I do.

Mr. TAVENNER. Will you state your name, please?

Mrs. TOLLY. Matilda Tolly.

Mr. TAVENNER. How do you spell your last name?

Mrs. TOLLY. T-o-l-l-y.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. I am John T. McTernan, 112 West 9th Street, Los Angeles, 15.

Mr. TAVENNER. Are you "Miss" or "Mrs."?

Mrs. TOLLY. "Mrs."

Mr. TAVENNER. What was your maiden name?

Mrs. TOLLY. Molina.

¹ Released by the committee and ordered to be printed.

Mr. TAVENNER. Have you also been known by the married name of Berry?

Mrs. TOLLY. That was my previous name.

Mr. TAVENNER. Where do you reside, Mrs. Tolly?

Mrs. TOLLY. 1822 Bellevue.

Mr. TAVENNER. Where were you born?

Mrs. TOLLY. Arizona.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. TOLLY. I believe since 1926.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mrs. TOLLY. I went a year to high school.

Mr. TAVENNER. What is your present occupation?

Mrs. TOLLY. I am a housewife.

Mr. TAVENNER. What was your last occupation other than that of a housewife?

Mrs. TOLLY. I don't remember. I have worked all over the city at sometime or other, so I really couldn't tell you. I have done practically everything.

Mr. TAVENNER. Have you at any time used the name Hilda Knox?

(The witness conferred with her counsel.)

Mrs. TOLLY. I invoke the fifth amendment. I refuse to answer that question because it might tend to incriminate me and it is not pertinent.

Mr. TAVENNER. Is it not a fact that you joined the Communist Party in 1933 here in Los Angeles and that you registered under the name of Hilda Knox?

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of an affidavit of registration sworn to on August 16, 1939, to vote, in which it shows the affiliation of the affiant. Will you examine it, please, and state whether or not this is an affidavit prepared by you?

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked Tolly Exhibit No. 1.

Mr. WALTER. It may be so marked.

(Document marked "Tolly Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine the name appearing in the affidavit as the affiant, namely, Mrs. Matilda Berry, and state whether or not that is your signature?

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Mr. Chairman, the affidavit shows that the affiliation given by the affiant is that of the Communist Party.

Were you a member of the Communist Party on August 16, 1939?
(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I hand you a similar affidavit of registration, sworn and subscribed to on July 16, 1942, and ask you to examine it and state whether or not you identify the signature thereto as being your signature.

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked Tolly Exhibit No. 2.

Mr. WALTER. It will be so marked.

(Document marked "Tolly Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. Were you a member of the Communist Party on July 16, 1942?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Belmont-Temple Club of the Communist Party during the year 1947?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you not press director for that club as shown by the February 28, 1947, issue of the People's World?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. It is the committee's information that you were a delegate to the California State convention of the Communist Party held on January 19-20, 1957. Were you a delegate to that convention?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. It is the committee's information that you were also a delegate to the Southern California District convention of the Communist Party held on April 13-14, 1957. Were you a delegate to that convention?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Will you tell the committee, please, what assignments were given to you to carry out Communist Party obligations and functions since April 13, 1957?

Mrs. TOLLY. I refuse to answer that question on the same grounds.

Mr. TAVENNER. The committee, from its investigation, has determined that special instructions were given from time to time to party members to perform certain types of work within churches. Were you assigned work of that character?

Mrs. TOLLY. I refuse to answer that question, also, on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. TOLLY. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman;

Mr. WALTER. The witness is excused.

(Whereupon, at 9:55 a.m., the witness was excused.)

TESTIMONY OF MARK ROBINSON, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN

Mr. WALTER. Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROBINSON. I do.

Mr. TAVENNER. Will you state your name, please?

Mr. ROBINSON. Mark Robinson.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 W. 9th Street, Los Angeles, 15.

Mr. TAVENNER. When and where were you born, Mr. Robinson?

(The witness conferred with his counsel.)

Mr. ROBINSON. I was born in Alberta, Canada, in 1915.

Mr. TAVENNER. When did you come to the United States?

Mr. ROBINSON. In 1918.

Mr. TAVENNER. Are you a naturalized American citizen?

(The witness conferred with his counsel.)

Mr. ROBINSON. I have a certificate of naturalization. I also claim citizenship because of the citizenship of my parents.

Mr. TAVENNER. In other words, derivative citizenship?

Mr. WALTER. No. He is naturalized and he claims derivative citizenship.

Mr. McTERNAN. No, sir.

(The witness conferred with his counsel.)

Mr. ROBINSON. I was born in Canada of American citizens and claim citizenship thereby.

Mr. TAVENNER. What was your father's name?

Mr. ROBINSON. James Roger Robinson.

Mr. TAVENNER. You state you also have a certificate of naturalization. When and where were you naturalized?

Mr. ROBINSON. I was naturalized in Pulaski County, Missouri, in December, I believe, 1942, while a member of the Armed Forces.

Mr. TAVENNER. Where do you now reside?

Mr. ROBINSON. At 4441 Lynnfield Street, Los Angeles, California.

Mr. TAVENNER. How long have you resided in Los Angeles?

Mr. ROBINSON. Since 1946.

Mr. TAVENNER. Where did you live prior to that?

Mr. ROBINSON. Immediately prior to my coming to Los Angeles, I was a member of the Armed Forces practically all over the world. Do you want me to go further? Do you want to know where I lived before that?

Mr. TAVENNER. When did you enter the armed services?

Mr. ROBINSON. In 1942.

Mr. TAVENNER. You were discharged when?

Mr. ROBINSON. 1946.

Mr. TAVENNER. Do you hold an honorable discharge?

Mr. ROBINSON. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. ROBINSON. I am a graduate of a public high school. I have one semester in one subject in college.

Mr. TAVENNER. What is your present occupation?

Mr. ROBINSON. I am a furniture worker.

Mr. TAVENNER. Were you a member of the Communist Party at the time of your naturalization in Missouri in 1942?

Mr. ROBINSON. I decline to answer this question on the grounds of the first amendment to the Constitution which invades my right to free speech and association and on the further grounds that such a question is not pertinent to any matters into which this committee may legislate.

Mr. TAVENNER. Mr. Robinson, in September, the committee conducted a hearing in Los Angeles and this is a continuance of that hearing. At that time there was introduced in evidence as "Healey Exhibit No. 24," a letter under date of March 26, 1958, addressed to the National Committee of the Communist Party of the United States which was a letter of resignation from the Communist Party of a number of individuals.

Your name does not appear as one of the signatories to that letter. However, from the investigation that the committee has made we understand that this letter was submitted to you and that you have seen it, and that you have endorsed it, and actually have withdrawn from the Communist Party. If that is true, we want this record to show it. Will you state whether or not you have withdrawn from the Communist Party?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer this on the same grounds as previously stated.

Mr. TAVENNER. This letter contains a statement, Mr. Robinson, on behalf of those who signed it, that, "We do not believe that conditions are yet ripe for the emergence of a definitive program and organization. But we do feel that more limited steps can be taken which will help prepare the soil for something new * * *."

What is that "something new" referred to in that letter by those who resigned?

(The witness conferred with his counsel.)

Mr. ROBINSON. I will decline to answer that question on the same grounds.

Mr. TAVENNER. Do you know who composed this letter?

Mr. ROBINSON. Same answer.

Mr. TAVENNER. Did you agree with its contents?

Mr. ROBINSON. The same answer.

Mr. TAVENNER. As a worker in the furniture business, I assume that you were a member of a union in that field, were you not, or are you not?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer this question on the same grounds.

Mr. TAVENNER. Numerous meetings of the Communist Party have been held at which Bernard Lusher, the head of the Labor Commission of the Communist Party, spoke and made plans for the work

of the Communist Party within the field of labor. Are you acquainted with his plans?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. ROBINSON. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. JOHANSEN. When you entered the armed services, did you sign an affidavit under oath or otherwise swear that you did not belong to any organization which advocated the overthrow of the Government by force and violence?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer this question on the same grounds.

Mr. JOHANSEN. In what branch of the armed services did you serve?

Mr. ROBINSON. The U.S. Army.

Mr. WALTER. The witness is excused.

(Whereupon at 10:45 a.m., the witness was excused.)

**TESTIMONY OF DELFINO VARELA, ACCOMPANIED BY COUNSEL,
ESTHER SHANDLER**

Mr. WALTER. Will you stand and raise your right hand?

Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VARELA. I do.

Mr. TAVENNER. What is your name, please, sir?

Mr. VARELA. My name is Delfino Varela.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Miss SHANDLER. Esther Shandler, 208 West 8th Street, Los Angeles, 14.

Mr. TAVENNER. When and where were you born, Mr. Varela?

Mr. VARELA. Pecos, N. Mex., November 14, 1926.

Mr. TAVENNER. Where do you now reside?

Mr. VARELA. Los Angeles, Calif.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. VARELA. For approximately 3½ years; September, of 1955.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. VARELA. I hold a bachelor of arts degree from the University of New Mexico, in education and a master of social work degree from the University of Michigan.

Mr. TAVENNER. The University of Michigan?

Mr. VARELA. Yes, sir.

Mr. TAVENNER. What is your present occupation?

Mr. VARELA. Social worker.

Mr. TAVENNER. In Los Angeles?

Mr. VARELA. In Los Angeles, yes, sir.

Mr. TAVENNER. How long have you been engaged in that occupation?

Mr. VARELA. In Los Angeles or in general?

Mr. TAVENNER. In Los Angeles.

Mr. VARELA. The same time as my residence, approximately three and a half years.

Mr. TAVENNER. Prior to that period of time, what was your employment?

Mr. VARELA. Prior to that period of time I was a social service worker in Detroit, Michigan.

Mr. TAVENNER. How long were you a social worker in Detroit Michigan, and between what dates?

Mr. VARELA. Between March of 1954 and around July of 1955.

Mr. TAVENNER. Prior to that time, how were you employed?

Mr. VARELA. I was also a social worker.

Mr. TAVENNER. Where?

Mr. VARELA. Pittsburgh.

Mr. TAVENNER. Will you give us the dates of your employment at Pittsburgh?

Mr. VARELA. Approximately between September of 1952 and March of 1954.

Mr. TAVENNER. While you were engaged in the work of a social worker in Pittsburgh, were you a member of the Communist Party?

Mr. VARELA. My civic activity has been dedicated to helping disabled people and the Mexican-American people, of which I am one, to assume the full responsibilities of their citizenship and to participate more fully in their democracy. However, I find that this type of questioning into people's associations and beliefs has been a detriment to these objectives in the sense that it has created suspicions and fears about any type of civic work.

Furthermore, answers to questions on associations and beliefs, in my opinion, violate the first amendment to the Constitution which forbids Congress from legislating in this area and consequently, from investigating in this area.

Therefore, I must also—questions asked at hearings of this type can and often have been used against people in future proceedings no matter how innocent these people may be, and, therefore, I must respectfully decline to answer the question and avail myself of the privileges afforded me by the first and fifth amendment.

Mr. TAVENNER. Are you referring to that provision of the fifth amendment relating to self-incrimination?

(The witness conferred with his counsel.)

Mr. VARELA. I refer to that part of the fifth amendment which provides that no person need be a witness against himself.

Mr. TAVENNER. Were you a member of the Communist Party while you were engaged in social work in Detroit between 1954 and 1955?

Mr. VARELA. Again, sir, I must respectfully decline to answer the question on the same grounds as I have previously stated.

Mr. WALTER. By whom were you employed while in Detroit?

Mr. VARELA. I wonder if the committee at this time would inform me as to the subject under inquiry here today and how this subject relates to my place of employment.

Mr. WALTER. This is merely a preliminary question.

Mr. VARELA. I would like the—

Mr. WALTER. You have already testified that you were engaged in this type of work and I think we have a right to know whether or not you were doing it for a private organization, a public organization,

or you were doing it as an act of charity yourself. You have opened the door for this line of questioning.

Mr. VARELA. I would like to request again that the committee explain to me the subject under inquiry and the relevancy of my place of employment to the specific subject under inquiry here.

Mr. WALTER. Are you going to answer the question?

Mr. VARELA. Since I fail to understand the relevancy or the pertinency of the question, I would like to request that it be withdrawn.

Mr. WALTER. The committee is endeavoring to ascertain what the objective of the Communist movement is at the moment, and in endeavoring to ascertain these facts, we would like to know just exactly what you have been doing, because we have information that you are and have been connected with this Communist movement.

Mr. VARELA. Mr. Chairman, my employer in Detroit is engaged in providing social service and bringing the name of an employer into these types of hearings, I am afraid, might jeopardize the ability of these employers to provide the social service.

Furthermore, the chairman of this committee made it quite clear some time ago that he had no intention that these hearings should be the cause of people losing their jobs. I am sure that you can appreciate the problems that a disabled person like myself would have in gaining employment when dismissed under these circumstances and combining that with the problems of any disabled persons—

Mr. WALTER. I appreciate that very fully and I feel very sympathetic, and for that reason I cannot understand why you would not lean over backward to avoid doing anything that would make your position or any position less secure.

Mr. VARELA. For that reason—that was one of my reasons for requesting that questions as to my employers' identity be withdrawn.

Mr. WALTER. Mr. Tavenner can ask the question, and you can decline to answer it if you see fit.

(The witness conferred with his counsel.)

Mr. TAVENNER. We are merely asking you for whom you were working while you were in Michigan.

Mr. VARELA. I would rather not say.

Mr. WALTER. Do you decline to answer that?

Mr. VARELA. Yes, sir.

MISS SHANDLER. That was not a direction, was it?

Mr. WALTER. No.

Mr. TAVENNER. You mentioned the fact that you were interested in Mexican affairs. Have you read the resolution presented at the organizational meeting of the District Council of the Communist Party for the Southern District of California which was held in April of 1957?

Mr. VARELA. Sir, I would like to decline to answer that question, respectfully, on the grounds that I have previously stated.

Mr. TAVENNER. Is there an organization within the Communist Party in the Southern District of California which centers upon activities, Communist Party activities, with Mexicans?

Mr. VARELA. I respectfully decline to answer the question, sir, on the grounds that I have previously stated.

Mr. TAVENNER. Are you currently a member of the Boyle Heights Club of the Communist Party?

Mr. VARELA. Again, sir, I would like to respectfully decline to answer your question on the grounds I have previously stated.

Mr. TAVENNER. Is the Boyle Heights Club within the Zapata Section of the Communist Party?

Mr. VARELA. I decline to answer that question, respectfully, sir, on the grounds I have previously stated.

Mr. WALTER. Where is that section?

Mr. WHEELER. Los Angeles.

Mr. TAVENNER. Are you now acting under any assignment from the Communist Party?

Mr. VARELA. I respectfully decline to answer the question on the grounds I previously stated.

Mr. JOHANSEN. Mr. Chairman, in that connection I would like the record to show very clearly that the witness gave as one of his grounds for declining to answer that to do so would involve testifying against himself.

Mr. WALTER. I think the record will show that.

Mr. TAVENNER. Will you tell the committee, please, what new plans have been evolved by the Communist Party with respect to the Mexican question?

Mr. VARELA. I respectfully decline to answer the question, sir, on the grounds that I previously stated.

Mr. WALTER. This is particularly important. There has been introduced in Congress several bills, one by Mr. Celler of New York, imposing a quota on Mexican immigration. Ever since I have been chairman of the Immigration and Naturalization Subcommittee, we have felt that there ought not to be any quotas in the Western Hemisphere and there are not any, as you know, and anyone from the Argentine, all the way from Newfoundland, for that matter, can come into the United States. It has proved satisfactory.

Now, if there is going to be an organization of Communists within this Mexican-American group, it may well be that the same thing will happen that has happened in other areas, and it would be indeed unfortunate for our diplomatic relations in this hemisphere. So I think you ought to consider this very carefully.

You are employed and you can render a great service to the people in whom you say you are interested and, if you are sincerely interested in them, I think you will answer these questions.

Mr. VARELA. Sir, it is because of the reasons that I stated previously that I do feel that questions into people's associations and beliefs make the work of helping people to be good citizens and participate fully in the community because I do believe that this type of inquiry does violate the first amendment to the Constitution and, also, questions, no matter how you answer them, can and have been used in later proceedings, and for that reason I must respectfully decline to answer on the grounds that I previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. VARELA. Again, sir, I must respectfully decline to answer the question on the grounds I have previously stated.

Mr. WALTER. For how long did you state you have been in California?

Mr. VARELA. Approximately three and a half years.

Mr. WALTER. Did you come here for the purpose of engaging in colonization work among Mexicans or Americans of Mexican extraction?

Mr. VARELA. I must respectfully decline to answer that question on the grounds I previously stated.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

(Whereupon, at 11:40 a.m., the witness was excused.)

TESTIMONY OF BEN KARR, ACCOMPANIED BY COUNSEL, ESTHER SHANDLER

Mr. WALTER. Will you raise your right hand, please?

Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KARR. I do.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KARR. Ben Karr.

Mr. TAVENNER. Will counsel identify herself for the record, please?

Miss SHANDLER. Esther Shandler, 208 West 8th Street, Los Angeles 14.

Mr. TAVENNER. When and where were you born?

Mr. KARR. May 1, 1916, New York City.

Mr. TAVENNER. Where do you now reside?

Mr. KARR. Los Angeles.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. KARR. Since December of 1949.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. KARR. I have a baccalaureate in education from the City College of New York.

Mr. TAVENNER. When did you receive that degree?

Mr. KARR. In 1937.

Mr. TAVENNER. What is your occupation?

Mr. KARR. I am a presser.

Mr. TAVENNER. Is that in the needle trade work?

Mr. KARR. That's right, sir.

Mr. TAVENNER. Your degree is what?

Mr. KARR. Bachelor of business administration.

Mr. TAVENNER. You have not, then, followed the particular work for which you prepared yourself?

(The witness conferred with his counsel.)

Mr. KARR. I am not following it now; no, sir.

Mr. TAVENNER. Have you followed it?

(The witness conferred with his counsel.)

Mr. KARR. I intend to invoke my constitutional privileges in regard to this question.

(The witness conferred with his counsel.)

Mr. KARR. In that regard, I would like to say that it is my considered opinion that the work of this committee has had the objective effect of creating in this country a climate of fear, one which makes very difficult, if not impossible, that free exchange of ideas which are

so necessary or which is so necessary to the growth of ourselves as individuals and as to the maintenance of our democratic institutions.

In addition, I feel this committee has used its power for an unwarranted invasion of personal privacy and for prosecution by exposure.

For that reason, I feel that aiding or abetting the work of this committee would not be in the best interests of our country. For the above and for the additional protection of myself, I decline to answer that question on the constitutional grounds, specifically the first and fifth amendments.

Mr. TAVENNER. Are you referring to that provision of the fifth amendment against self-incrimination?

(The witness conferred with his counsel.)

Mr. KARR. I refer to that provision that no person need bear witness against himself.

Mr. TAVENNER. You came to California in 1949. Have you been engaged in the occupation of a presser during that entire period?

Mr. KARR. I went into pressing several months after I came here and I have been in that occupation ever since.

Mr. TAVENNER. Did you work in that occupation prior to coming to California?

Mr. KARR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you disclose to your employer in 1949 the fact that you had the degree from college that you told us you have?

(The witness conferred with his counsel.)

Mr. KARR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Why did you select the position of a presser with all the educational qualifications that you had?

Mr. KARR. Same answer.

Mr. TAVENNER. Were you advised in New York to get out into the trades for any Communist Party purpose?

Mr. KARR. Same answer.

Mr. TAVENNER. Do you represent the Needle Trades Section of the Communist Party in the Communist Party organization in this area?

Mr. KARR. Same answer.

Mr. TAVENNER. The committee's information is that you are one of the 62 members of the District Council of the Communist Party for the Southern District of California. Are you a member of the district council?

Mr. KARR. Same answer.

Mr. WALTER. What comprises the southern district?

Mr. TAVENNER. From the list that we have, there were 28 sections south of a certain line drawn through the state.

Mr. WALTER. Is this one of the sections that you are talking about?

Mr. TAVENNER. Yes, sir. Our testimony back in September showed that there is a district council set-up composed of 62 members elected from these various sections. I have just asked the witness whether he is on the district council.

This district council also has an executive board composed of ten persons, according to the committee's information. Will you verify that as being correct?

Mr. KARR. Same answer.

Mr. TAVENNER. The committee has considerable information regarding the monthly meetings that have been held by this district council, but according to our information you have not been in attendance at many of them.

Is that because you are working in the labor field and have been instructed to stay away from these particular meetings?

Mr. KARR. Same answer.

Mr. TAVENNER. Are you acquainted with Bernard Lusher, the head of the Labor Commission of the Communist Party for the Southern District of California?

(The witness conferred with his counsel.)

Mr. KARR. Same answer.

Mr. TAVENNER. What are the present plans of the Communist Party within the field of labor, or in this area?

Mr. KARR. Same answer.

Mr. TAVENNER. Is it not true that a new organizational set-up has been resorted to, that of uniting in one group the representatives from the field of labor from all of the different sections of the Communist Party?

Mr. KARR. Same answer.

Mr. TAVENNER. What is your particular assignment at this time in the Communist Party?

Mr. KARR. The same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. KARR. The same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. The witness is excused.

(Whereupon, at 11:47 a.m., the witness was excused.)

Mr. WALTER. The committee will be in recess until 2 o'clock.

(Whereupon, at 11:50 a.m. Wednesday, February 25, the hearing in the above-entitled matter was recessed, to be reconvened at 2 p.m. of the same day.)

AFTERNOON SESSION—WEDNESDAY, FEBRUARY 25, 1959

Mr. WALTER. The committee will be in session.

TESTIMONY OF SOPHIE SIMINOSKI, ACCOMPANIED BY COUNSEL, WILLIAM B. MURRISH

Mr. WALTER. Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SIMINOSKI. I do.

Mr. TAVENNER. Will you state your name, please?

Mrs. SIMINOSKI. Sophie Siminoski.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. MURRISH. William Murrish, member of the Los Angeles Bar.

Mr. TAVENNER. Are you "Miss" or "Mrs."?

Mrs. SIMINOSKI. "Mrs."

Mr. TAVENNER. Will you spell your maiden name?

Mrs. SIMINOSKI. S-m-o-r-i-d-o-n.

Mr. TAVENNER. Where were you born?

Mrs. SIMINOSKI. In Philadelphia, Pennsylvania.

Mr. TAVENNER. Where do you now reside?

Mrs. SIMINOSKI. 1612 Cerro Gordo Street.

Mr. TAVENNER. Is that G-o-r-d-o?

Mrs. SIMINOSKI. Yes, sir.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. SIMINOSKI. Approximately 17 years.

Mr. TAVENNER. Tell the committee, please, what your educational training has been.

Mrs. SIMINOSKI. High school.

Mr. TAVENNER. What is your occupation?

Mrs. SIMINOSKI. I am a housewife.

Mr. TAVENNER. What is the last occupation you followed other than a housewife?

Mrs. SIMINOSKI. A stenographer.

Mr. TAVENNER. When were you last working as a stenographer?

Mrs. SIMINOSKI. About 2 years ago.

Mr. TAVENNER. The committee has information that the new organization of the Communist Party for the Southern District of California is comprised of at least 28 sections and that these sections are divided into clubs. One of these sections, we are advised, has the name of Echo Park Section.

Have you been a functionary within the past 2 years in this section of the Communist Party, the Echo Park Section?

Mrs. SIMINOSKI. That question violates my rights and my duties under the United States Constitution, both in its entirety as a guaranty of free, democratic government, and in several of its vital amendments and provisions as hereafter stated, and I will, therefore, decline to answer that question and all like it upon each and all of the following constitutional legal grounds:

1. I decline to answer, first, upon the ground of freedom of speech, thought, and association under the first amendment, and because this committee under that amendment has no authority, power, or jurisdiction to inquire into my beliefs, speech or associations in this or any particular.

2. I decline to answer, secondly, because this committee in its entire proceedings here, and particularly respecting this stated question, is without lawful jurisdiction, power or authority under the due process clause of the fifth amendment and under the provisions in whole of the Constitution.

This is so because the authorizing statute and resolution under which it operates is unconstitutionally vague and lacking in standards, terms or provisions communicating to me or to any witness, or to a court or hearing body, any meaningful or definable contents or criteria, either as a matter of substantive or of procedural law.

Mr. TAVENNER. Don't read quite so rapidly, please.

Mrs. SIMINOSKI. To the contrary, it is standardless and establishes an instrument of arbitrary power only, and of censorship. Further, neither said authorizing statute or resolution, nor any statement, act or declaration of this committee establishes evidences or communicates any manner or respect in which the said stated question is or can be pertinent in law and under the Constitution, and particularly under

the decision in *Watkins v. U.S.*, to any lawful investigative object or purpose of Congress, or of this committee, or at all.

3. I decline to answer, thirdly, upon the ground that this committee has no jurisdiction in this hearing and as to the stated question because the committee, its activities, its authorizing resolution, and the specific question concerned here, all violate the Constitutional separation of Congress' legislative power from the judicial power. This is contrary to Articles I and III of the Constitution.

Mr. TAVENNER. Slow down in reading, please.

Mrs. SIMINOSKI. There is also a violation of the even more fundamental separation of Congress' legislative power from the sovereign power of the people over all the branches of government as secured by Articles I, II and III of the Constitution, the Preamble, the guaranty of republican government secured in Article IV and the provisions of the whole of the Bill of Rights Amendments I to X.

4. Finally, inseparably from the first amendment I will decline to answer the stated question under the rights given me by the fifth amendment and the decision of the Supreme Court in *Quinn v. U.S.*, upon the grounds that the published hearings, reports, releases and newspaper declarations of this committee and its officers and its representatives, including the circumstance that it has declared it possesses eleven rooms and more of files of accusatory dossiers upon or affecting more than a million individuals and more than 1,000 organizations, and has denounced as "subversive", "un-American," and "treasonable," all of such and all other individuals, causes, groups and ideas affecting any and every humanitarian subject or purpose known to me.

Mr. TAVENNER. Slow down, please.

Mrs. SIMINOSKI. Afford me basis in law for refusing to be a witness against myself and for protecting myself in the Supreme Court's words against "tyrannous prosecution," under said fifth amendment, and under said amendment, I do therefore decline to answer.

Mr. TAVENNER. Will you tell the committee, please, whether Elizabeth Spector is section organizer of the Echo Park Section of the Communist Party?

Mrs. SIMINOSKI. Under all the grounds previously stated I decline to answer.

Mr. TAVENNER. What are the present Communist Party directives being carried out by this section of the Communist Party, if you know?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. Have you been a regular attendant at the meetings of this section of the Communist Party?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. Are you a member at this time of the Echo Park Section of the Communist Party of Los Angeles?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. What type of a campaign is being waged now within that section to maintain its membership?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

(Whereupon, at 2:35 p.m., the witness was excused.)

TESTIMONY OF HARRY HUNT, ACCOMPANIED BY COUNSEL,
DANIEL G. MARSHALL

Mr. WALTER. Will you raise your right hand, please.

Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUNT. I do.

Mr. TAVENNER. State your name, please.

Mr. HUNT. Harry Hunt.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record.

Mr. MARSHALL. Daniel G. Marshall.

Mr. TAVENNER. When and where were you born?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to the Constitution of the United States, supplemented by the self-incriminating clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of this committee.

Mr. WALTER. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to the Constitution of the United States, supplemented by the self-incriminating clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of this committee.

Mr. TAVENNER. Do you honestly contend that to give this committee your address might subject you to criminal prosecution?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to the Constitution of the United States, supplemented by the self-incrimination clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of this committee.

Mr. MOULDER. You are appearing here as a witness in response to a subpoena?

Mr. HUNT. Yes, sir.

Mr. MOULDER. After being directed by the chairman of our committee to answer the question which was propounded to you by counsel, do you realize that you might be making yourself subject to being in contempt of Congress and subject to prosecution?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to

the Constitution of the United States, supplemented by the self-incrimination clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of the committee.

Mr. MARSHALL. May I address the Chair?

In the event that other questions are asked of this witness as to which he desires to exercise his privilege, will it be stipulated that whenever he states that he declines to answer, that it will be deemed that his grounds are the grounds he has stated with respect to the questions heretofore asked of him?

Mr. WALTER. Yes, that will be understood—that when the witness declines to answer it will be on the grounds heretofore stated.

Mr. TAVENNER. You stated you are here pursuant to a subpoena served upon you. Will you examine the paper that is being handed to you and state whether or not that appears to be a copy of the subpoena served on you?

(The witness conferred with his counsel.)

Mr. HUNT. Yes, sir.

Mr. TAVENNER. Will you examine the reverse side of it and see whether or not there is a return by the sheriff's office, showing that there was service on you? The name appears at the bottom.

Mr. MARSHALL. The witness probably does not comprehend that. The endorsement shows the service of this subpoena on Harry Hunt and it purports to bear the signature of a person whom I take to be a deputy sheriff.

Mr. TAVENNER. Do you see on the back of the subpoena the statement just read by your counsel?

Mr. HUNT. Yes, sir.

Mr. TAVENNER. Does not the return show that service was made on you at 824 West 74th Street, Los Angeles?

Mr. HUNT. I decline to answer.

Mr. TAVENNER. That is your correct address, is it not?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer.

Mr. TAVENNER. Are you a subscriber to the Daily People's World?

Mr. HUNT. I decline to answer.

Mr. TAVENNER. I call to your attention that you are listed as a subscriber and that your address is listed as 824 West 74th Street. Does that change your answer?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. HUNT. I decline to answer.

Mr. TAVENNER. What is your present occupation?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Are you now a resident of Los Angeles?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Mr. Hunt, do you expect us to believe that you are acting in good faith in refusing to answer those questions on the ground of possible self-incrimination?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. We have shown in evidence, Mr. Hunt, through an earlier hearing that upon the reorganization of the Communist Party

for the Southern District of California in 1957 that various meetings have been held of the district council of that organization. One of those meetings was held on July 27, 1958.

It is the committee's information that you were present at that meeting and took part in the meeting. Did you take part in that meeting?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Do you recall that at that meeting considerable distrust was spread of the chairman of the Communist Party for the Southern District of California, and that in fact, Max Steinberg offered a resolution to remove her from office?

Were you present when that motion was made?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not arise and address the gathering and state in substance that the suggestion of removing Dorothy Healey was no good, in other words, that you opposed the suggestion of her removal?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not take the position that her removal would not solve the problems with which the Communist Party in this area was faced?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. In other words, you are on Dorothy Healey's side?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not at that time state that the main problem of the party was that the party had been isolated from the masses?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. What plans were made by the Communist Party to try to solve this problem of isolation from the masses?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. According to the committee's information, the monthly meeting of the district council of the Communist Party for the month of September was held on September 21, 1958, and you were also present at this meeting and participated in it.

Did you participate as a speaker in that meeting?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer.

Mr. TAVENNER. According to the committee's information you also participated in the monthly meeting of the district council held on November 23, 1958. Did you so participate?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. The committee is informed of the activities at a monthly meeting of that organization held as late as January 25, 1959. Did you participate at that meeting?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer.

Mr. TAVENNER. Was not that meeting of the district council greatly divided in its views regarding a report made by Charlene Mitchell regarding action taken on the Negro question at the national executive committee meeting in New York?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not arise and state at this meeting that the bringing up of this question at this time had caused a serious split in the Communist Party?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not express at this meeting that the relationship of the Communist Party to the Negro people had not been good?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Had the relationship of the Communist Party to the Negro people been good?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Will you tell the committee, please, what plan the Communist Party has in this area to solve this problem in this dispute which has been raised within the party?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Were you present at the time that Charlene Mitchell complained that the white members of the Communist Party were discriminating against her by not paying contributions to her but on the other hand, paying them to her cotreasurer, a white person?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. With all the talk that goes on by the Communist Party about its interest in the Negro people, as a matter of fact, there is discrimination against the Negro people within the Communist Party, is there not?

Mr. HUNT. I decline to answer, sir.

Mr. WALTER. Did you not hear the charge coming from this colored girl that there was discrimination against Negro people?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. You are a member of the 62-member District Council of the Communist Party for the Southern District of California, are you not?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. You hold that position today, do you not?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. Are there any questions?

Mr. MOULDER. Did you state your occupation?

Mr. HUNT. I decline to answer, sir.

Mr. WALTER. The witness is excused.

(Whereupon, at 2:55 p.m., the witness was excused.)

TESTIMONY OF ARTHUR BROWN, ACCOMPANIED BY COUNSEL, MORTIMER VOGEL

Mr. WALTER. Will you stand and raise your right hand, please.

Do you swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. BROWN. I do.

Mr. TAVENNER. What is your name, please?

Mr. BROWN. Arthur Brown.

Mr. TAVENNER. Will counsel identify himself for the record, please?

Mr. VOGEL. Mortimer Vogel of Los Angeles.

Mr. TAVENNER. I hand you what purports to be the subpoena served upon you and will you examine it and state whether or not it appears to you to be a copy of the subpoena requiring your presence here today?

Mr. BROWN. Yes.

Mr. TAVENNER. You will note it is made out in the name of Art Brown. You are commonly known by that name of Art Brown, are you not?

Mr. BROWN. Yes, sir.

Mr. TAVENNER. Where do you live, Mr. Brown?

Mr. BROWN. 9946 Woodale Avenue, Pacoima, California.

Mr. TAVENNER. When and where were you born?

Mr. BROWN. New York City, November 4, 1915.

Mr. TAVENNER. How long have you lived in California?

Mr. BROWN. A little less than 2 years.

Mr. TAVENNER. Where did you live immediately before coming to California?

Mr. BROWN. New Jersey.

Mr. TAVENNER. Where did you live in New Jersey?

Mr. BROWN. Sir, I must decline to answer that question on the basis of the first and fifth amendment to the Constitution.

Mr. WALTER. Do you honestly feel that if you told where you lived in New Jersey you might be subject to criminal prosecution?

(The witness conferred with his counsel.)

Mr. BROWN. I must refuse to answer that question.

Mr. WALTER. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. BROWN. I must refuse to answer the question on the basis of the first and fifth amendment and the pertinency of the committee to this question.

Mr. TAVENNER. By stating that you rely on the fifth amendment are you referring to that part of the fifth amendment relating to self-incrimination?

(The witness conferred with his counsel.)

Mr. BROWN. I believe the counsel is fully aware of the importance and meaning of the fifth amendment and I have based my refusal to answer on the fifth amendment.

Mr. TAVENNER. There are various parts of the fifth amendment, some of which mean one thing and some another, so if you refuse to state which part you rely upon, I will again ask the chairman to direct you to answer the question.

Mr. WALTER. Yes; you are directed to answer the question.

(The witness conferred with his counsel.)

Mr. BROWN. I base my refusal to answer on the basis of the fifth amendment and all the parts of the fifth amendment.

Mr. TAVENNER. Do you honestly believe that to answer that question might tend to incriminate you?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. Will you tell the committee, please, how long you lived in New Jersey?

(The witness conferred with his counsel.)

Mr. BROWN. I lived all my life in New Jersey, sir, except for a short period as a baby and up until the time I came to California.

Mr. TAVENNER. Can you tell us if you served in the Armed Forces of the United States?

Mr. BROWN. Yes, sir.

Mr. TAVENNER. Over what period of time?

Mr. BROWN. I was in the Armed Forces for just shy of five years.

Mr. TAVENNER. From what date to what date?

Mr. BROWN. From June, I believe, the 11th—what year was it before Pearl Harbor?

Mr. TAVENNER. 1940 was before Pearl Harbor.

Mr. BROWN. Pearl Harbor was in December. I was drafted June before Pearl Harbor and served until the end of the war and was separated from service as a first lieutenant in February 1946.

Mr. TAVENNER. In what branch of the service did you serve?

Mr. BROWN. I was in the Adjutant General's division.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BROWN. I graduated from high school in New Jersey, in Cranford, New Jersey, and I attended Union Junior College for two years. I attended three years at night and I had two years college credit.

Mr. TAVENNER. What is your present occupation?

(The witness conferred with his counsel.)

Mr. BROWN. I must refuse to answer on the grounds previously stated.

Mr. TAVENNER. What was your occupation while living in New Jersey, say, from the time you got out of the Army up until the time you came to California?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. Did you have any regular employment at all for which you received compensation while in New Jersey between the time of your discharge from the Army and the time of your coming here?

Mr. BROWN. The same answer.

Mr. TAVENNER. Did you leave the State of New Jersey and come to California for any reason related to activities of the Communist Party?

Mr. BROWN. The same answer.

Mr. TAVENNER. You were an organizer for the Communist Party at Middlesex, New Jersey, between 1946 and 1947, were you not?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. The committee's information is that you were a delegate to the national convention in New York City but that you did not attend. Were you elected as a delegate?

Mr. BROWN. Same answer.

Mr. TAVENNER. Did you attend?

Mr. BROWN. Same answer.

Mr. TAVENNER. Were you in attendance at a New Jersey State leadership meeting during the year 1954?

Mr. BROWN. Sir, I must give the same answer.

Mr. TAVENNER. Were you not transferred in 1956 from Union County, N.J., to Essex County, N.J., for work in the Communist Party?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. Were you not active in the raising of funds for the Communist Party in New Jersey as late as 1956?

Mr. BROWN. Same answer.

Mr. TAVENNER. On your arrival in California, did you immediately affiliate with a local group of the Communist Party?

(The witness conferred with his counsel.)

Mr. BROWN. Same answer.

Mr. TAVENNER. We are informed that there is a section of the Communist Party known as the "Valley" group. Have you heard of it?

Mr. BROWN. Same answer.

Mr. TAVENNER. Are you a member of it now?

Mr. BROWN. Same answer.

Mr. TAVENNER. I do not want to leave the inference that I think you are a member of it now, but I will ask you whether you were a member of it prior to March 26, 1958.

Mr. BROWN. I must give the same answer, sir.

Mr. WALTER. Before the question is asked, do not tell him, counsel, "same answer." Wait until the question is asked before you prompt the witness.

Mr. VOGEL. It is fairly obvious what the question is going to be.

Mr. WALTER. Let us be fair about it and let the question be asked before you do the very improper thing of prompting a witness.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. While in New Jersey, were you not a member of the State Youth Commission of the Communist Party for that State?

Mr. BROWN. Same answer.

Mr. TAVENNER. Were you not also a member of the State Veterans Commission of the Communist Party in New Jersey?

Mr. BROWN. Same answer.

Mr. TAVENNER. Did you not arise to the position of a member on the State committee of the Communist Party in the State of New Jersey?

Mr. BROWN. Same answer.

Mr. TAVENNER. In New Jersey, were you not very active in the work of the Civil Rights Congress; in fact, you were its executive secretary?

Mr. BROWN. Same answer.

Mr. MOULDER. Are you responding to all of the questions propounded to you by counsel for the committee on advice of your own counsel to refuse to answer all questions claiming the privileges under the first and fifth amendments, or in good faith?

I am asking the witness, not his counsel. I am asking you if all of your responses to questions are being answered by you solely by what counsel tells you to do, or are you in good faith claiming the privileges under the Constitution?

(The witness conferred with his counsel.)

Mr. BROWN. I am claiming the privilege of the first and fifth amendment on my own. At the same time I am seeking the advice of my counsel.

Mr. WALTER. You have not asked counsel one single question. He has, before the question has been completely asked, told you what to say.

Mr. VOGEL. Is it not obvious what is going to be asked?

Mr. WALTER. Let us do this right. If there is anything left of ethics, let us pay a little more attention to what ought to be.

Mr. VOGEL. It is obvious what the question is going to be and it should be obvious what the answer might be.

Mr. WALTER. Go ahead, Mr. Tavenner.

Mr. TAVENNER. I referred a few moments ago to the date of March 26, 1958. We introduced in evidence at an earlier hearing, a letter under date of March 26, 1958 referred to as "Healey Exhibit No. 24," which purports to set forth reasons why those who signed it were resigning from the Communist Party.

We find one of the signatories is "Art." Does the word "Art," refer to you as Art Brown?

(The witness conferred with his counsel.)

Mr. BROWN. Sir, the same answer.

Mr. TAVENNER. Did you sign this letter of resignation?

Mr. BROWN. Same answer.

Mr. TAVENNER. You resigned from the Communist Party on March 26, 1958?

Mr. BROWN. Same answer.

Mr. TAVENNER. Mr. Brown, I want to call your attention to one rather significant thing in this letter.

Mr. WALTER. Before you do that, Mr. Tavenner, is the witness a member or is it evidenced that he was a member of the executive board?

Mr. TAVENNER. Not of the executive board but of the district council. There were 62 persons on the district council and ten of them were on the executive board of that council. It is not our information that he was a member of the executive board, but it is that he was a member of the district council and attended the meetings.

I will read from the letter of resignation:

We have no blueprint to offer for the future. We do not believe that conditions are yet ripe for the emergence of a definitive program and organization. But we do feel that more limited steps can be taken which will help prepare the soil for something new * * *.

What new thing was it that this group desired to promote or to advocate?

Mr. BROWN. Sir, I must refuse to answer that question on the basis of the first and fifth amendments.

Mr. TAVENNER. Did you participate in the preparation of that letter?

Mr. BROWN. Same answer.

Mr. MOULDER. Do you believe that the Communist Party in the United States is part of the international scheme or conspiracy of the Communist Party of the Soviet Union?

Mr. BROWN. I must refuse to answer that on the basis of the first and fifth amendments.

Mr. TAVENNER. Do you know who prepared that letter?

Mr. BROWN. Same answer.

Mr. TAVENNER. Do you have a middle initial?

(The witness conferred with his counsel.)

Mr. BROWN. No, sir.

Mr. TAVENNER. You have no middle name or initial?

Mr. BROWN. No, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JOHANSEN. At the time you entered the Armed Forces did you take an oath or sign an affidavit under oath to the effect that you did not belong to any organization advocating the overthrow of the Government by force and violence?

(The witness conferred with his counsel.)

Mr. BROWN. It is a good many years ago and I don't remember what I signed.

Mr. WALTER. The witness is excused. Call your next witness, Mr. Tavenner.

(Whereupon, at 3:13 p.m., the witness was excused.)

TESTIMONY OF ROBERT KLONSKY, ACCOMPANIED BY COUNSEL,
AL WIRIN

Mr. WALTER. Will you stand up, please, and raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. KLONSKY. I do.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KLONSKY. My name is Robert Klonsky.

Mr. TAVENNER. Will you spell your last name?

Mr. KLONSKY. K-l-o-n-s-k-y.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. WIRIN. My name is Al Wirin. I am an attorney in Los Angeles and a member of the State Bar of California.

Mr. TAVENNER. Where do you reside, Mr. Klonsky?

Mr. KLONSKY. I will avail myself of the constitutional privileges and refuse to answer to that under the privileges of the first and fifth amendments.

Mr. TAVENNER. Do you appear here pursuant to a subpoena served upon you by the United States marshal on February 11, 1959?

Mr. KLONSKY. That is right, sir.

Mr. TAVENNER. The return on the marshal's subpoena shows that service was made on you at 2105 South Crescent Heights Boulevard, Los Angeles, Calif., Apartment #3. Is that your address?

Mr. KLONSKY. I will take the fifth amendment on that, sir.

Mr. TAVENNER. Do you believe that an honest answer to that question might tend to incriminate you?

Mr. KLONSKY. The question I do not believe to be a proper and correct statement of the law and, therefore, I will still utilize the fifth amendment in refusing to answer that.

Mr. WALTER. I will direct you to answer the question as to your residence. It is purely a preliminary question for the purpose of identification and I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. KLONSKY. I will continue to refuse to answer that question on the ground that the question is not pertinent.

Mr. TAVENNER. When and where were you born?

Mr. KLONSKY. The same, the fifth amendment.

Mr. TAVENNER. How are you employed?

Mr. KLONSKY. I will refuse to answer that, under the same conditions.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. KLONSKY. I will refuse to answer that under the same conditions.

Mr. TAVENNER. Do you mean to state in good faith that an honest answer to that question might tend to incriminate you?

(The witness conferred with his counsel.)

Mr. KLONSKY. The answers to any such questions as you have just asked may lead to prosecution in one form or another and, therefore, I will refuse to answer that one under the same conditions.

Mr. TAVENNER. You were one of the Smith Act defendants in the Philadelphia case, were you not?

Mr. KLONSKY. I will take the same constitutional privilege.

Mr. TAVENNER. Were you personally acquainted with Matthew Cvetic?

Mr. KLONSKY. I will take the same constitutional provision.

Mr. TAVENNER. When Matthew Cvetic testified before this committee he identified a number of members of the Communist Party, in what is generally referred to as Cvetic Exhibit No. 91. You were identified as the secretary of the Eastern Pennsylvania area of the Communist Party. Is that identification correct?

Mr. KLONSKY. My answer is the same, the fifth amendment.

Mr. TAVENNER. According to the testimony of Mr. Cvetic, Mr. Bart was the chairman of the organization of which you were the secretary. Is that correct?

Mr. KLONSKY. My answer remains the same.

Mr. TAVENNER. Mr. Thomas F. Delaney testified before this committee in Philadelphia on October 13, 1952, that he had been a former member of the Communist Party, and he testified that you were a functionary on the district level of the Eastern Pennsylvania District of the Communist Party. Was that a truthful statement?

Mr. KLONSKY. The answer remains the same.

Mr. TAVENNER. The committee's investigation indicates that the June 21, 1949, issue of the Daily Worker reports you to have been at that time the organizational secretary of the Communist Party of Eastern Pennsylvania. Is that correct?

Mr. KLONSKY. The answer remains the same, sir.

Mr. TAVENNER. The Daily Worker issue of April 25, 1951 shows as late as that date that you were secretary of the Communist Party of Eastern Pennsylvania and Delaware. Is that correct?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. Were you a member of the Abraham Lincoln Brigade?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. Were you at one time the circulation manager of the Daily Worker?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. Did you also serve as Communist Party organizer in the Bronx in the late 30's?

Mr. KLONSKY. The answer is the same, sir.

Mr. TAVENNER. As late as 1956, were you the editor of the Pennsylvania edition of the Daily Worker?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. According to the committee's information you were in the Armed Forces of the United States and, served in Korea, is that correct?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. I am referring to World War II and, not the Korean war.

Mr. KLONSKY. The answer remains the same, regardless.

Mr. TAVENNER. You were with the 713th Tank Battalion of the 24th Corps, were you not?

Mr. KLONSKY. The answer is the same, sir.

Mr. MOULDER. Do you receive any financial compensation or assistance from any foreign country?

Mr. KLONSKY. I will take the same privilege on that one.

Mr. TAVENNER. You did receive a commendation from the Communist Party of Korea written to the Communist Party of the United States complimenting you, did you not?

Mr. KLONSKY. I will take the same privilege, sir.

Mr. TAVENNER. While you were in the armed services, did you ever confer with Steve Nelson?

Mr. KLONSKY. I will take the same privilege, sir.

Mr. TAVENNER. While you were in the Armed Forces, did you ever furnish information to Steve Nelson regarding Army manuals or other information regarding U.S. tanks and guns?

Mr. KLONSKY. My answer remains the same, sir.

Mr. TAVENNER. While you were serving in the Armed Forces of the United States, did you know that Steve Nelson was an espionage agent of the Soviet Union?

Mr. KLONSKY. My answer remains the same, sir.

Mr. TAVENNER. This committee has from time to time received considerable evidence relating to Alice Hyun, Peter Hyun, and Diamond Kim.

Did you at any time ever confer, either in person or by any form of communication, with any one of these three persons?

Mr. KLONSKY. My answer remains the same.

Mr. TAVENNER. Did you not meet each of those persons in Korea?

Mr. KLONSKY. My answer remains the same, sir.

Mr. TAVENNER. Did you attend Communist Party meetings with any one of the three in Korea?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. The committee's investigation does not indicate that you have at any time been a member of the District Council of the Communist Party for the Southern District of California, but its information is that you attended the meetings. Is that correct?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. KLONSKY. I will give you the same answer now.

Mr. TAVENNER. Our information is that you are not a member at this moment. Is that correct?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. What was the date of your last organizational effort with the Communist Party of this area?

Mr. KLONSKY. Again, under the first amendment, I will refuse to answer that.

Mr. TAVENNER. May I ask for a direction on that?

Mr. WALTER. I direct you to answer that.

Mr. KLONSKY. I will utilize the fifth amendment in refusing to answer that.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

(Whereupon, at 3:30 p.m., the hearing was recessed, to reconvene on the same day.)

**TESTIMONY OF PHILIP RAFALOW, ACCOMPANIED BY COUNSEL,
LEO FENSTER**

Mr. WALTER. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RAFALOW. I do.

Mr. TAVENNER. What is your name, please?

Mr. RAFALOW. Philip Rafalow.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. FENSTER. Leo Fenster, 11363 Santa Monica Boulevard.

Mr. TAVENNER. When and where were you born, Mr. Rafalow?

Mr. RAFALOW. 1925, May 17, New York City.

Mr. TAVENNER. Where do you now reside?

Mr. RAFALOW. 3670 Colonial Avenue, Los Angeles.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. RAFALOW. Approximately 10 years.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. FENSTER. You are talking about high school and college, for example?

Mr. TAVENNER. Yes, sir.

Mr. RAFALOW. Grade school and in part high school.

Mr. TAVENNER. Have you had any educational training in other recognized schools?

(The witness conferred with his counsel.)

Mr. RAFALOW. No.

Mr. TAVENNER. Have you attended any training classes?

Mr. RAFALOW. I refuse to answer on the basis of self-incrimination under the provision of the fifth amendment.

Mr. TAVENNER. What is your occupation?

Mr. RAFALOW. Plumber.

Mr. TAVENNER. How long have you been engaged in that occupation?

Mr. RAFALOW. Approximately 16 years.

Mr. TAVENNER. You are a plumbing contractor, are you not?

(The witness conferred with his counsel.)

Mr. RAFALOW. Yes.

Mr. TAVENNER. Have you had any military service in the Armed Forces of the United States?

Mr. RAFALOW. Yes.

Mr. TAVENNER. During what period of time?

Mr. RAFALOW. During World War II.

Mr. TAVENNER. It is the committee's information that you are not now a member of the Communist Party. Is that correct?

Mr. RAFALOW. I refuse to answer on the grounds of self-incrimination under the provisions of the fifth amendment.

Mr. WALTER. You have been told that we have information that you are not a member of the Communist Party. Do you honestly feel if you answered that you might be confronted with prosecution?

Mr. FENSTER. You are asking the witness to adjudicate what membership is and when he ceased and I do not think it is fair to ask him that. That is the venue of this committee.

Mr. TAVENNER. Then your answer must be based on some uncertainty as to whether you are still a member of the Communist Party or not. Is that the reason that to give an honest answer to that question might tend to incriminate you?

Mr. RAFALOW. I refuse to answer on the ground of the fifth amendment dealing with self incrimination.

Mr. TAVENNER. I notice by the subpoena served on you that you were served as Phil Rafalow. Is your middle initial "R", or do you have a middle initial?

Mr. RAFALOW. I do not.

Mr. TAVENNER. Healey Exhibit No. 24 has been introduced in evidence, which consists of a letter bearing the date March 26, 1958, and signed by a number of individuals expressing their desire to resign. The fact of their resignation from the Communist Party as of that date.

The name of Phil R. appears as one of the signatories to that letter. Did you sign it?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment with respect to self incrimination?

Mr. TAVENNER. In other words, although going through the form of a resignation, there is some form of attachment still remaining to the Communist Party, is there not?

Mr. RAFALOW. I refuse to answer, based on the fifth amendment and self incrimination.

Mr. TAVENNER. Were you a member of the Southern California District Council of the Communist Party before March 26, 1958?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment on self incrimination.

Mr. TAVENNER. Were you not a representative on that board from the Western Division of the Communist Party, which is sometimes referred to as the Santa Monica-Bay Cities?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment.

Mr. TAVENNER. Were you a delegate to the California State convention on January 29 and 30, 1958?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment on self incrimination.

Mr. TAVENNER. Were you not also a delegate to the organizational meeting of the Southern District of the Communist Party for the State of California?

Mr. RAFALOW. I decline to answer on the fifth amendment of self incrimination.

Mr. TAVENNER. Have you served in any capacity in the raising of funds for the Smith Act defendants?

Mr. RAFALOW. I decline to answer under the fifth amendment of self incrimination.

Mr. TAVENNER. Were you active in behalf of the Communist Party in the Independent Progressive Party of California?

Mr. RAFALOW. I decline to answer under the fifth amendment of self incrimination.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. The witness is excused.

**TESTIMONY OF SOLOMON MONROY, ACCOMPANIED BY COUNSEL,
WILLIAM M. SAMUELS**

Mr. WALTER. Will you raise your right hand, please?

Do you swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MONROY. I do.

Mr. TAVENNER. What is your name, please, sir?

Mr. MONROY. Solomon Monroy.

Mr. TAVENNER. Spell your last name, please.

Mr. MONROY. M-o-n-r-o-y.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. SAMUELS. William M. Samuels.

Mr. TAVENNER. When and where were you born?

Mr. MONROY. Los Angeles, December 31, 1925.

Mr. TAVENNER. Where do you now reside?

Mr. MONROY. Los Angeles.

Mr. TAVENNER. What is your occupation?

Mr. MONROY. Salesman.

Mr. TAVENNER. What is your educational background?

(The witness conferred with his counsel.)

Mr. MONROY. Grammar school, high school, and some City College, approximately a year.

Mr. TAVENNER. City College of what city?

Mr. MONROY. Of Los Angeles.

Mr. TAVENNER. Mr. Monroy, it is the committee's information that you are a member of the District Council of the Communist Party for the Southern District of California and that as such a member you were in a convention of those members held on the 21st day of September 1958. I want to ask you several questions about things that occurred at that meeting.

At that meeting Dorothy Healey, the chairman for this district, discussed at length the experience that she had had and the experience that other members of the Communist Party had had at the hearings that were conducted by this committee in the earlier part of September 1958.

In the course of her discussion, she made reference to the American Civil Liberties Union. According to the committee's information she

referred to the great advantage or the great aid that was given to the Communist Party by the American Civil Liberties Union taking out an ad which was carried in many papers. Do you recall that?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question because I feel that this committee does not have the power to inquire.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer that question.

Mr. MONROY. I refuse to answer this question, basing my refusal on the first and fifth amendment of the United States Constitution.

Mr. TAVENNER. Do you recall that Dorothy Healey made an explanation to you and others present at that meeting as to why the subpoenaed witnesses were called before a meeting sponsored by the Citizens Committee to Preserve American Freedoms instead of by a meeting called by the Communist Party? Do you remember that?

(The witness conferred with his counsel.)

Mr. MONROY. I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. Basing it on the first and supplementing it by the fifth amendment of the United States Constitution.

Mr. TAVENNER. Did Dorothy Healey announce in your presence that there would be a meeting under the auspices of the Citizens Committee to Preserve American Freedoms at 118 North Larchmont, October 1, 1958, featuring two speakers, Horace Alexander and Frank Wilkinson, to discuss the abolishment of the Committee on Un-American Activities?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I would like to know what is the pertinency of these questions that you are asking me in relationship to the nature of this committee's investigation.

Mr. TAVENNER. I would be very glad to tell you. The Citizens Committee to Preserve American Freedoms, after considerable advertising, called a meeting at which the subpoenaed witnesses were corraled and speeches were made in their presence and they were asked to stand up. I want to ask you if it is not a fact that that was done for the purpose of encouraging and inducing those subpoenaed witnesses to stand together and defy this committee?

(The witness conferred with his counsel.)

Mr. MONROY. You have asked me two questions.

Mr. TAVENNER. Answer the last one.

Mr. MONROY. I can't see how this is pertinent to the investigation that the committee is conducting.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question as previously stated, under the guarantees of the first amendment supplemented by the fifth amendment of the United States Constitution.

Mr. TAVENNER. Was an announcement made by Dorothy Healey that such a meeting would be held under the auspices of the Citizens Committee to Preserve American Freedoms?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I cannot see where this is pertinent and I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question basing, as formerly stated, as I had previously stated.

Mr. TAVENNER. Was Horace Alexander a member of the District Council of the Communist Party for the Southern District of California at that time?

Mr. MONROY. I still cannot see where this is pertinent to the investigation, sir, and I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I again refuse to answer this question basing it on the previously stated first amendment supplemented by the fifth amendment.

Mr. TAVENNER. Was Frank Wilkinson known to you to be a member of the Communist Party?

Mr. MONROY. I still cannot see where this is pertinent to the investigation, sir, and I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer this question.

Mr. MONROY. I refuse to answer this question on the basis of the first and fifth amendment, as I do not see where this is pertinent to this investigation.

Mr. TAVENNER. Did you at this meeting hear discussed a question as to when the next convention of the Communist Party from this area would be held?

Mr. MONROY. I cannot see where this is pertinent to this investigation and I again refuse to answer this question.

Mr. WALTER. You are directed to answer that question.

Mr. MONROY. I refuse to answer this question on the previously stated grounds.

Mr. WALTER. Is this man a member of the council?

Mr. TAVENNER. Yes, sir; according to the committee's information.

Did you at this meeting make a motion as a representative from Zapata Section of the Communist Party that there be a guarantee that the Mexican work would be on the convention agenda?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I again refuse to answer the question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. Again I refuse to answer this question based on my previous statement.

Mr. TAVENNER. Mr. Monroy, what Mexican work was it that the Communist Party had planned to engage in?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. On what grounds do you refuse to answer the question?

(The witness consulted with his counsel.)

Mr. MONROY. Sir, I do not feel that this committee has the power to inquire and also I feel it is not pertinent to the investigation that the committee is conducting.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. Sir, I must then refuse to answer under the guarantees of the first amendment supplemented by the fifth amendment of the United States Constitution.

Mr. WALTER. Do you honestly feel that if you answered a question as to activities in connection with Mexican work you might be prosecuted criminally?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I again must refuse to answer this question which was put to me on the same grounds as I have previously stated.

Mr. WALTER. You are not under any compulsion. You say "I must."

Mr. TAVENNER. Mr. Monroy, the committee has information that you also attended as a delegate the meeting of the District Council of the Communist Party of the Southern District of California held on November 23, 1958. At that meeting did Dorothy Forest make a report to you and the others present regarding the plans to abolish the Un-American Activities Committee?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. On the grounds of the fifth amendment?

Mr. MONROY. The first supplemented by the fifth.

Mr. TAVENNER. Did not Dorothy Forest announce in your presence that the main way to express opposition to this committee was through petitions which are now being circulated by the American Civil Liberties Union?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I would like to know what is the pertinency of the questions you are putting to me with respect to the investigation the committee is conducting? Particularly the last question.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Did not Dorothy Forest also state in your presence that this was the first time in the history of the American Civil Liberties Union that there has been a petition of this character circulated by them?

Mr. MONROY. I would again like to ask, sir, what is the pertinency of this question you are putting to me to the investigation that the committee is conducting.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer the question on the grounds previously stated, and also the lack of pertinency.

Mr. TAVENNER. Is it not a fact that Dorothy Forest stated in your presence and to those assembled that the Communist Party has been officially delegated to circulate this petition for signatures?

Mr. WALTER. Officially delegated by whom?

Mr. TAVENNER. It does not say.

(The witness conferred with his counsel.)

Mr. TAVENNER. Please answer the question.

Mr. MONROY. I cannot see the pertinency of this question to the investigation that this committee is conducting.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the first and supplementing it by the fifth amendment of the United States Constitution and also the lack of pertinency.

Mr. TAVENNER. Was not Dorothy Forest the liaison between the American Civil Liberties Union and the Communist Party on this question?

Please answer the question.

Mr. MONROY. I cannot see the pertinency of this question in relationship to the investigation that this committee is conducting and I refuse to answer this question.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Did not Dorothy Forest state that the Communist Party had been delegated to play a rôle in getting the signatures on this petition and that the Communist Party had been assigned the specific job of covering the Negro churches in the Los Angeles area on November 30 and December 6?

Mr. MONROY. I cannot see the pertinency of this question to the investigation that this committee is conducting and I refuse to answer this question.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question based on the previously stated—on what I have previously stated.

Mr. TAVENNER. Did not Dorothy Forest further state that a letter had gone out to the Negro ministers of these churches advising them that a person would be there to get persons to sign these petitions?

Mr. MONROY. I cannot see the pertinency of this question that you are putting to me, sir, the investigation of this committee is conducting, and I refuse to answer this question.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question based on the previous statement that I have made, that I refuse to answer on the first amendment supplemented by the fifth and the lack of pertinency.

Mr. TAVENNER. Was it not openly stated at the meeting that all the petitions which are being circulated by the Communist Party members should be turned into the Communist Party so that the ACLU can see what a good job the Communist Party was doing on these petitions?

Please answer the question.

Mr. MONROY. I refuse to answer this question. I cannot see the pertinency of it to the investigation that the committee is conducting.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question as previously stated on the basis of the first and supplemented by the fifth amendment and also the lack of pertinency.

Mr. TAVENNER. The committee's information is that you were also in attendance at the meeting of December 21, 1958, at which Charlene Mitchell made her report regarding the Negro question. Do you recall that discussion?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. WALTER. I direct you to answer that question.

Mr. MONROY. On the same grounds as previously stated.

Mr. TAVENNER. Did not Charlene Mitchell state in your presence and the other members of the district council, that the resolution changing the Communist Party line with regard to the Negro question was introduced at the national committee meeting by a new comrade from the South who is field secretary for the Communist Party in the South by the name of Comrade Charles?

Please answer the question.

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. On the ground of the fifth amendment?

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Do you recall Charlene Mitchell, in opposing the change of the Communist Party line, asking the question: "Does a nation stop being a nation because of the Negro migration to the north or because many of the Negroes have now gone from peasantry to industrial jobs?"

Mr. MONROY. I refuse to answer this question, sir. I cannot see the pertinency of this question to the investigation that the committee is conducting.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. Sir, I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Did Cyril Briggs disagree with the action taken by the national committee on the Negro question?

Mr. MONROY. I refuse to answer this question, sir, as I cannot clearly see the pertinency of this question to the investigation that this committee is conducting.

Mr. WALTER. Now, you said you cannot clearly see. By that I gather that you have an impression about the pertinency. Can you tell us what you think the pertinency is?

(The witness conferred with his counsel.)

Mr. MONROY. I have been advised by my counsel that it is my legal right that the committee show me the pertinency of this question to the investigation that they are conducting.

Mr. WALTER. You said that you could not clearly see the pertinency and that is why I asked the question.

If I told you that we were deeply concerned over the attempts being made by this group, of which you were a member, to influence low-income groups toward being disloyal to the United States, would that give you some idea of what we are driving at?

Mr. MONROY. I cannot see the pertinency at all, sir.

Mr. TAVENNER. May I have a direction that he answer?

Mr. WALTER. Ask another question. That does not matter.

Mr. TAVENNER. Did Pettis Perry, Bill Taylor, Herschel Alexander, and Shirley Taylor all oppose the change of the Communist Party line and argue against it from the floor of the meeting?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. May I have a direction that he answer?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Do you have a particular assignment in the Communist Party with regard to work among Mexican people?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. We have information that you are the one who has been selected by this district council to prepare the program or the membership drive among Mexicans and Negroes. Is our information correct?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I would like to ask you what information there is and if I might see it.

Mr. WALTER. We have sworn testimony to that effect, and we have sworn testimony as to the meetings that were discussed. I am asking you whether or not it is the fact. Have you been selected as the representative from the district council to prepare the program for the drive with the Mexicans and Negroes?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I refuse to answer this question.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. That is all. The witness is excused.

(Whereupon, at 4:20 p.m., Wednesday, February 25, 1959, the committee recessed.)

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**THE SOUTHERN CALIFORNIA DISTRICT
OF THE COMMUNIST PARTY
Structure—Objectives—Leadership**

**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION**

**PART 1
SEPTEMBER 2 AND 3, 1958**

Printed for the use of the Committee on Un-American Activities.

(Index in Part 3)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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EDWIN E. WILLIS, Louisiana

WILLIAM M. TUCK, Virginia

BERNARD W. KEARNEY, New York¹

DONALD L. JACKSON, California

GORDON H. SCHERER, Ohio

ROBERT J. MCINTOSH, Michigan¹

RICHARD ARENS, *Staff Director*

¹ Congressmen William E. Miller of New York and August E. Johansen of Michigan were appointed members of the committee by the 86th Congress, replacing Mr. Kearney and Mr. McIntosh.

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

- * * * * *
18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

- * * * * *
- (q) (1) Committee on Un-American Activities.
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership (Part 1)

TUESDAY, SEPTEMBER 2, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION ¹

The subcommittee met, pursuant to call, at 10 a.m., in room 229, Federal Building, Los Angeles, Calif., Hon. Francis E. Walter (chairman) presiding.

Present: Representatives Francis E. Walter, of Pennsylvania, and William M. Tuck, of Virginia.

Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

The CHAIRMAN. Will you raise your right hand? Will you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HEALEY. I do.

The CHAIRMAN. The committee will come to order.

This hearing is authorized by the following resolution of the Committee on Un-American Activities, House of Representatives:

Be it resolved, That a hearing by the Committee on Un-American Activities, or a subcommittee thereof, to be held in Los Angeles, Calif., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the extent, character, and objects of Communist Party activities in California, with special reference to such activities in southern California, the legislative purpose being:

(a) to obtain additional information for use by the committee in its consideration of section 16 of H.R. 9352—

Mr. MARGOLIS. May I have that section, section 16—

The CHAIRMAN. Of H.R. 9352.

¹ Released by the committee and ordered to be printed.

The executive testimony herewith released formed part of the background information on which is based the "Report on the Southern California District of the Communist Party: Structure—Objectives—Leadership," H. Rept. No. 259, released by the Committee on Un-American Activities on April 3, 1959.

relating to the proposed amendment of section 4 of the Communist Control Act of 1954, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof; and

(b) to obtain additional information, adding to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense, and for internal security, when and if the exigencies of the situation require it.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the committee, which it, or any subcommittee thereof appointed to conduct this hearing, may designate.

Let the record show that pursuant to law and the rules of this committee, I, as chairman, appointed a subcommittee for the purpose of conducting these hearings composed of Representatives William M. Tuck, Bernard Kearney, as associate members, and myself, Francis E. Walter, as chairman.

The order of appointment of the subcommittee will be set forth in the record at this point:

(Information referred to follows:)

August 27, 1958.

To Mr. Richard Arens, Staff Director, House Committee on Un-American Activities:

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative William M. Tuck and Representative Bernard W. Kearney, as associate members, and myself, Francis E. Walter, as chairman, to conduct executive hearings in Los Angeles, Calif., beginning on Tuesday, September 2, 1958, on the subjects under investigation by the committee, and take such testimony on said day and succeeding days, as it may deem necessary.

Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 27th day of August 1958.

FRANCIS E. WALTER,

Chairman, Committee on Un-American Activities.

The CHAIRMAN. A majority of the subcommittee is present.

The subcommittee has determined that this hearing will be in executive session.

The committee resolution adequately sets forth the subject and purposes of this hearing.

Information has come to the committee of renewed Communist Party activities in this, a highly sensitive and important area of the country. The degree and extent of this renewed activity is deemed by the committee to be of such importance to the national welfare and defense of the country as to justify this investigation in order that remedial legislation may be recommended in this field designed to meet new threats of subversion.

Mr. MARGOLIS. I wonder, in the light of the statement of purpose, if I might have a few moments to consult with my client.

We heard this for the first time now.

(Witness confers with counsel.)

Mr. MARGOLIS. Thank you.

TESTIMONY OF DOROTHY RAY HEALEY, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

The CHAIRMAN. Mr. Tavenner.

Mr. TAVENNER. Please state your name and place of residence.

Mrs. HEALEY. My name is Dorothy Ray Healey.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MARGOLIS. My name is Ben Margolis, 112 West 9th Street, Los Angeles, Calif.

Mr. TAVENNER. What did you give as the residence?

Mrs. HEALEY. 1733½ West 84th Street.

Mr. TAVENNER. Are you the wife of Mr. Phil Connelly?

Mrs. HEALEY. Mr. Tavenner, I would like to ask a question, if I may, at this point, in regard to the question of the nature of the hearing. This is an executive session. I am wondering, Congressman Walter, whether at the conclusion of my testimony this committee is going to issue any release to the papers about the testimony. I am concerned about it in regard to the question of my testimony here as well as the question of the release to the papers.

The CHAIRMAN. I think we share your concern in that. That, I think, is important. We are going to discuss that question when we are able to get the committee together. We are not disposed to make this public. We are hoping that by so doing you will cooperate with us and give us every bit of assistance that we are sure that you can. So for that reason we are not for the moment going to decide this question.

Mrs. HEALEY. Well, the question in my mind, Congressman, is that I am quite certain from previous experiences that the minute I leave the hearing room the press, of course, will be out there, and I am concerned. I don't care to be one to set the precedent of releasing testimony.

On the other hand, I want to protect my own reputation and my own testimony here. Therefore, if there is going to be any such release now or later, I would like to know it now so I can guard myself accordingly.

The CHAIRMAN. I cannot answer the question. I do not think there will be any. I assume there will not be a release of the transcript of the testimony. That I will promise.

Mrs. HEALEY. Will there be a digest of the testimony given by Mr. Wheeler or Mr. Tavenner or you gentlemen to the press?

The CHAIRMAN. It will not be done. If they find out what happened here, that is something we have no control over.

Mr. MARGOLIS. We have trouble hearing you, sir, I am sorry.

May we have read back what you said? I couldn't hear you.

The CHAIRMAN. The answer is, we will not officially release this testimony.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. The question was: Are you the wife of Mr. Phil Connelly?

Mrs. HEALEY. I am.

Mr. TAVENNER. When and where were you born?

Mrs. HEALEY. I was born in Denver, Colo., September 22, 1914.

Mr. TAVENNER. What was your maiden name?

Mrs. HEALEY. Dorothy Rosenblum.

Mr. TAVENNER. Did you engage in activities of the Young Communist League in southern California in the 1930's under the name of Dorothy Ray?

Mrs. HEALEY. Well, this is— after listening to Congressman Walter as to the legislative purpose of this inquiry, the Supreme Court has ruled that the activities of the Communist Party are protected, the political activities of the Communist Party are protected by the first amendment as are the activities of any other political party or organization. It is clear that this committee could not bring in legislation in regard to the activities of the Communist Party as it has not been able to do heretofore and has been upheld as unconstitutional.

Secondly, the fact remains that if there are activities that are not protected by the first amendment, there are certainly avenues by the U.S. Government on behalf of the United States to guarantee the ceasing of such activities.

I happen to have suffered some 6 years of persecution on the question of the first amendment and the protection of that first amendment, and finally, as I was sure 6 years earlier, the Supreme Court ruled and the Department of Justice later had to concur, in regard to renewed persecution, that there was nothing in my lifetime of activities of any kind that could warrant conviction in regard to any of the legislative questions or the questions of this inquiry which Congressman Walter opened the hearing on.

Because of that I therefore, first of all, decline to answer that question on the ground of the first amendment which prohibits this committee from inquiry into activities around ideas.

I decline to answer on the ground of the 10th amendment, which very wisely our forefathers guaranteed to be inserted in order to say to any future political politicians that the activities of citizens are going to be protected and not only by the first but by the clear statement that whatever powers are not delegated to the U.S. Government expressly by the people through the Constitution and the Bill of Rights are relegated and saved to the people. I further decline to answer on the ground of the fifth amendment.

I claim the privilege against self-incrimination.

The CHAIRMAN. You are directed to answer the question.

Mrs. HEALEY. The same answer.

Mr. TAVENNER. Were you formerly the wife of Don Healey?

Mrs. HEALEY. I am not going to give you any answers to any further questions of this kind on the same grounds; and further on the grounds that none of these questions are pertinent to any legislation which this committee could possibly bring into the Congress or which could possibly be upheld as constitutional.

The CHAIRMAN. You are directed to answer that question.

Mrs. HEALEY. Same answer.

Mr. TAVENNER. How did you acquire the name of Ray?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. How do you spell Ray?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is the spelling of the name Ray, R-a-y or R-a-e?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. May I have a direction to answer?

The CHAIRMAN. You are directed to answer the question.

Mrs. HEALEY. Same answer.

The CHAIRMAN. You see, one of the reasons for this inquiry is the very decision you are talking about, because it is inconceivable to us

and to other Americans who have some smattering of knowledge of the law that the Supreme Court would find that the Communist conspiracy is a political party. That is one of the purposes of these broad, general questions. We are hoping that the Supreme Court will take another guess.

Mrs. HEALEY. The point is, Congressman, if I may explain why I am answering this way, is that in regard to the question of conspiracy, first of all, the Supreme Court—I happen to be one where the Supreme Court has already found that I am not a part of any conspiracy, but secondly, my experience in a very long trial was that one can find oneself involved through what I gather legally is third party declarants in a conspiracy which one may have absolutely no knowledge of. I, therefore, must protect myself as well as the political activities of other Americans as well as the legal political activities of any minority political party in its functioning, and any answer, in my opinion, only makes it more possible to claim the validity of the right of this committee to ask.

I must say that in regard to that it is my opinion that the mandate which this committee functions under is itself illegal inasmuch as the first amendment so expressly and specifically forbids legislation in the realm of ideas that the committee could not bring forth legislation which could conceivably be upheld as constitutional.

Mr. TAVENNER. Were you at one time organizational secretary of the Los Angeles County organization of the Communist Party?

Mrs. HEALEY. I must decline to answer on the same grounds.

Mr. TAVENNER. Were you at one time chairman of that organization?

Mrs. HEALEY. I must decline to answer on the same grounds.

Mr. TAVENNER. Are you at this time the chairman of the Communist Party's new Southern California District?

Mrs. HEALEY. The same answer.

Mr. TAVENNER. Of the Communist Party? Are you at this time a member of the National Committee of the Communist Party of the United States?

Mrs. HEALEY. I should explain further in answer to your question that nothing in my lifetime, and there have been some thirty years of my life devoted to political activities within this country, have I done anything that I consider illegal or which I am ashamed of. As a matter of fact, I am very proud of a lifetime of service to the Constitution and to democracy.

If any group of citizens, including you two gentlemen sitting as a subcommittee representing the Congress of the United States, are genuinely interested, truly concerned with getting information as to political activities of one Dorothy Healey, I can assure you that if you will recess yourselves as a committee I would be very glad to answer all questions of you or any other groups of citizens of these United States; and I would be equally glad to do it under oath in order to not have people say that you will answer these things when you are not under oath. I will answer under oath to any group of citizens, all questions without reservation as to both political activities, all questions relating to my own life. I would not, of course, ever answer any questions with regard to other citizens' activities.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mrs. HEALEY. The same answer.

The CHAIRMAN. Didn't you make comment when the Supreme Court decision came down to the effect that "Now we will move forward," something of that sort?

Mrs. HEALEY. May I consult with my attorney?

(The witness confers with her counsel.)

Mrs. HEALEY. The same answer.

The CHAIRMAN. I quoted that on the floor of the Congress. It is in the Congressional Record.

Mrs. HEALEY. Again I would say, Congressman, that I would be very glad to discuss that with you as one citizen to another. I cannot, will not, yield to what my conscience dictates to answer any questions before this committee.

Mr. TAVENNER. Mr. Chairman, since you have asked that question, I desire to offer in evidence and ask that it be marked "Healey Exhibit No. 1" these two paragraphs from the June 19, 1957, issue of the Los Angeles Herald-Express:

Most outspoken was Mrs. Dorothy Healey Connelly, Southern California District chairman of the Communist Party.

"This decision will mark a rejuvenation of the party in America," she said. "We have lost some members in the last few years, but now we are on our way again."

The CHAIRMAN. It will be admitted for what it is worth.

(Document marked "Healey Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Do you deny making the statement attributed to you in the Los Angeles paper which I have just read?

(The witness confers with her counsel.)

Mrs. HEALEY. I neither deny nor affirm the statement, Mr. Tavenner.

Mr. TAVENNER. Were you a delegate to the 16th National Convention of the Communist Party held in New York beginning February 9, 1957?

Mrs. HEALEY. I decline to answer on the grounds specifically stated.

Mr. TAVENNER. Did you participate in any manner in that convention as a member of the Foster faction of the Communist Party or of the so-called revisionists group led by John Gates?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Were you a member of the resolutions committee of that convention?

Mrs. HEALEY. The same answer.

(Mr. Margolis confers with the witness.)

Mr. TAVENNER. A motion was quashed in the resolutions committee condemning the Soviet assault on Jewish culture. Was this action taken pursuant to a directive from Moscow to come to the defense of the Soviet Union?

(Witness confers with her counsel.)

Mrs. HEALEY. In addition to the previous grounds stated, I decline to answer the question on the further ground that pursuant to the announced purpose of the committee's inquiry here in southern California, the questions, the last series of questions, certainly have nothing to do with the announced purpose given by Congressman Walter in

opening the hearing; and I therefore decline to answer on this as well as the previously stated grounds.

The CHAIRMAN. Now, just a moment. In the light of the Supreme Court decision that you have talked about with such obvious pleasure, you cannot invoke the fifth amendment because even if you were active in the Communist Party, still that is not a crime according to you. So, how could you be prosecuted for a criminal offense?

Mrs. HEALEY. Except, as I pointed out to you previously, Congressman, my experiences already, and they are very bitter experiences, where I had to be separated at that time from an 8-year-old boy for some 6 months in jail pending vindication that I knew would come. Regardless of the fact that the activities of the Communist Party are legally protected, one can be tied into an unnamed conspiracy completely without one's knowledge.

While I certainly have no fear again of conviction, I have good grounds to be very concerned with continued persecution.

The CHAIRMAN. I assure you that we are not persecuting anyone.

Mrs. HEALEY. Well, I have some question of that inasmuch as already as a result of this committee's serving subpoenas on people at their places of employment, I know of already two people who already lost their jobs.

The CHAIRMAN. Proceed, Mr. Tavenner.

Mr. TAVENNER. You stated that what occurred at the national convention of the Communist Party does not affect matters in California. For that reason you consider it is beyond the purpose of this hearing to go into those matters. Do you mean to contend that the action of the national convention of the Communist Party does not affect Communist Party activities in southern California?

Mrs. HEALEY. I have already stated to you, Mr. Tavenner, that I would be very pleased, delighted—

Mr. TAVENNER. Just answer my question.

Mrs. HEALEY. Gratified to answer all questions regarding the Communist Party or any other political party activities.

Mr. TAVENNER. You are not answering my questions.

Mrs. HEALEY. Outside the framework of this committee.

Mr. TAVENNER. You are evading.

Mrs. HEALEY. I am not evading. I will not answer any question in regard to political activities of any party or any individual while the committee is in official session because to do so is to yield to the validity of this committee which I do not yield to and which I challenge.

Mr. TAVENNER. Then that is the reason?

Mrs. HEALEY. I therefore decline to answer on the grounds I previously stated.

Mr. TAVENNER. That is the real reason of your refusal?

Mrs. HEALEY. I would further go on to say that Congressman Walter announced very specifically—although I would still consider the announced purposes to be illegal and unconstitutional—nevertheless, even within the framework of what he has announced, I would say that the questions have nothing to do, are not pertinent to the legislative questions which Congressman Walter said this committee was interested in trying to gather further information on.

The CHAIRMAN: Mrs. Healey, as I understand you, you feel that the Supreme Court held that Communist Party activity is political activity in the sense that we know it in respect to other political parties?

Mrs. HEALEY: What I am saying in my understanding of the Supreme Court decision was that the Communist Party's activities, such as within that ground of activity and in the realm of ideas, are protected by the first amendment.

The CHAIRMAN: Because it is a political party?

Mrs. HEALEY: I didn't—I am only saying what I understand it to be.

The CHAIRMAN: Yes.

Mrs. HEALEY: It is my opinion that the Communist Party is a legal political party. I cannot read the Supreme Court's mind. That is not in their statement. The Supreme Court merely stated that activities, as such, are protected. I would differentiate between my own opinion that the Communist Party is a legal political party and the Supreme Court's because it would not do me to speak for any other body. I can only speak from my own understanding.

Mr. TAVENNER: You have taken a position, have you not, in southern California, in protection of the minority group in southern California, particularly the Jewish group?

Mrs. HEALEY: I decline to answer that question on the same grounds, Mr. Tavenner.

Mr. TAVENNER: Let me ask you whether or not the action you have taken was influenced or limited in any way by the following:

I find from the February 25, 1957, issue of the New Leader in an article written by Walter K. Lewis, entitled, "U.S. Communists Convene," this paragraph:

The real key to the political tone of the convention lay in a seemingly small incident which was never reported to the daily press. Delegates close to the Morning Freiheit, Yiddish-language edition of the Daily Worker, introduced a motion to condemn the Soviet assault on Jewish culture (which included the liquidation of scores of Jewish writers as well as Jewish institutions). In the interest of "Party unity" the motion was quashed in the resolutions committee. Since the same consideration had led U.S. Communists to applaud the worst horrors of the Stalin era, it is difficult to see any significant change in the Party's essence—

(Witness confers with her counsel.)

Mr. TAVENNER (continuing reading):

as a result of the 16th convention.

Did you participate in the convention in any manner in opposition to the action of the committee quashing that resolution?

Mrs. HEALEY: You know, Mr. Tavenner, the very type of question you are asking in regard to the question of the conventions of a political party, regardless of your opinion of that political party, only confirms Congressman Hinshaw's warning in regard to the passage I would say at that time of the Smith Act but really much more pertinent to the activities of this committee when he in his very eminent, thoroughly conservative Congress stood up and turned to the Republicans in the Congress and told them that if they tolerated this type of legislation it could be only a matter of time until it was used against them.

Now, the fact remains that when this committee inquires into conventions or political activities it should not take too much imagination to know that if you were allowed to do this, if citizens either cooperated or if it was upheld through due process, that it could be conceivably merely a matter of time until it was your activities which were being inquired into, into Democratic Party convention or Republican Party convention, depending upon which party was in and which party was out. Therefore, to protect our political parties, I decline to answer these questions, all political activities, I decline to answer these questions on the previously stated grounds.

The CHAIRMAN. Of course, the big difference is that when my party meets and we are drafting a platform, and we are adopting resolutions, as a member of the committee, I have to fight to get in the room because of the press, photographers, and what not. We are very happy to have people present when we are preparing our platform. That is why I cannot understand why, if you contend that you are a member of a political party, it is none of our business what happens in the proceedings of that party.

Mrs. HEALEY. Well, I would say two things in answer to that, Congressman, if I may.

The first is that from the reading of the press of the convention about which Mr. Tavenner was so concerned, it was clear that the press was there at the press conference, and secondly, that there were a whole number of eminent visitors who had been invited to attend the convention.

But secondly, I would also say, Congressman, that if it meant your job that you were to be on that platform committee to exercise your American right to participate in the political drafting of a platform, you might not be so anxious to guarantee the right of a committee to inquire into it. If your party were being persecuted, as the Communist Party had been persecuted, as members of the Communist Party have been persecuted, I doubt very much whether you would be so zealous in answering or wanting to answer questions in regard to political activities. But that is why I have told you I am very proud of all the activities in which I have engaged.

The CHAIRMAN. If you are proud of them, why do you not talk about them?

Mrs. HEALEY. Because I do not believe that answering these questions can in any way serve the interests of my fellow Americans. I think our forefathers were very sensible. I think they went on the basis of the best of the thinking of the whole world's philosophies when they drafted the Constitution.

The CHAIRMAN. That was before there was a power trying to—that's beside the point.

Mrs. HEALEY. It really wasn't before there was a power because a reading of the history of that persecution at that time shows the whole country was in concern over the French conspiracy, over the fact that the French were trying to foment rebellion in this country. It was Thomas Jefferson, and I am sure you remember this, who had to lead a more courageous and valiant fight.

The CHAIRMAN. Let us not go way off. That is very interesting—about which we all know a great deal.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. What I am getting at is to what extent was the convention, to your knowledge, influenced in its action by the Soviet Union?

Mrs. HEALEY. I decline to answer on all the grounds previously stated.

Mr. TAVENNER. Did you at that convention oppose any interest of the Soviet Union?

Mrs. HEALEY. I decline to answer on the grounds previously stated although I think by this time in just a reading of the testimony before this committee, including those of ex-Communists who so gladly testified in order to save their jobs, would indicate that all this nonsense that informers have given you, professional informers have given you, in regard to the dictation of Moscow to any political party, et cetera, any such nonsense—

The CHAIRMAN. Where do you get the idea that anyone was an informer?

Mrs. HEALEY. Where do I get the idea? From the reading of the transcripts of this committee. But I would say that as is true historically again throughout the centuries of informers, the testimony of informers, Congressman, and I am sure you will agree with me, is of very little value in terms of its honesty or its truthfulness.

Mr. TAVENNER. Now, since you have raised the question of the influence and direction of the Communist Party of the United States by—

Mrs. HEALEY. I didn't raise any such question.

Mr. TAVENNER. By the Soviet Union—

Mrs. HEALEY. I volunteered nothing.

Mr. TAVENNER. You volunteered a rebuttal of that before any question was asked regarding it. So I want to ask you what methods were used, if any, to your knowledge, either before or soon after the holding of the Sixteenth National Convention which indicated the Soviet desire and intention to whip the membership into line back of of the Foster faction and in opposition to the so-called revisionists led by John Gates?

Mrs. HEALEY. I told you that a reading of the testimony before this committee, and I spent some time in reading it because I have never appeared before the committee and I wanted to acquaint myself with the procedures, with what convinced me that this is all a lot of poppycock that this committee has been propagating for many years.

Mr. TAVENNER. Just answer the questions.

Mrs. HEALEY. As far as the question you are asking me, I decline to answer on all the grounds previously stated.

(Witness confers with her counsel.)

Mr. TAVENNER. You are not frank with this committee. You are charging in general terms that from the committee's evidence there is no such thing existing, but when you are asked regarding your knowledge of the problem you refuse to answer.

(Witness confers with her counsel.)

Mrs. HEALEY. I would think by this time I have made myself clear. Let me then repeat it in order to have the weight of emphasis on it, and I will answer no such questions of this kind before this committee because to answer those questions is to yield to this committee the right to ask them.

I challenge the right of this committee to ask any questions. It is a forbidden area as far as the Congress of the United States is concerned to inquire into these questions. It is protected by the first amendment. I, for one, will not yield what thousands and millions of Americans over the centuries have fought for in order to provide information, a momentary excursion into forbidden area by this committee.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermoflex copy of an article by Harry Schwartz, appearing in the February 4, 1957, issue of the New York Times, and ask that it be marked "Healey Exhibit No. 2."

(Document marked "Healey Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. I will read excerpts from it as the basis for several questions.

The heading of the article is: "Soviet Backs Foster's Faction, Attacks Right-Wing U.S. Reds."

The Soviet Communist party made unmistakably clear yesterday that it favored victory for William Z. Foster's faction at the United States Communist party "national convention," which opens here Saturday.

In language similar to that employed by Mr. Foster in an article published last October, the Moscow newspaper Sovetskaya Rossiya attacked "right-wing elements" among American Communists and singled out for particular criticism Joseph Clark, foreign editor of the Daily Worker here.

As reported by the United press, the Soviet newspaper linked Secretary of State John Foster Dulles and rightwing Communists here as advocates of a "national communism" that would "divide and conquer" the Communist world.

Further down in the article appears the title;
Third Outburst From Soviet:

Yesterday's attack was the third recent indication of Moscow displeasure—

(Witness confers with her counsel.)

Mr. TAVENNER (reading):

with some groups of American Communists, particularly those associated with the Daily Worker. The two earlier indications had been an attack on the Daily Worker's editorial disapproval of the Soviet military intervention in Hungary last November, and a short, but bitter, onslaught on "Rightists" among American Communists by the Soviet Communist party magazine, Partinaya Zhizn.

There has been much speculation recently that the rightwing elements among American Communists, whose leader is generally taken to be John Gates, editor and chief of the Daily Worker, were weakening under the pressure of Moscow's displeasure. One sign so interpreted by some observers was the decision of the New York State Communists, where rightwing elements are particularly strong, a week ago not to press for immediate conversion of the Communist party into a Communist political education association.

Since yesterday's Moscow attack came after the concessions made by the rightwing at the New York meeting, the inference would seem indicated that the Soviet leaders were still unsatisfied and demanded both the victory of Mr. Foster's group and the serious rewriting of the draft resolution.

Do you not agree that is an effort made by the Soviet Union to dictate to the Communist Party of the United States?

Mr. MARGOLIS. Is the question finished?

Mr. TAVENNER. Yes.

(Witness confers with her counsel.)

Mrs. HEALEY. You know, I am rather curious about one thing, Mr. Tavenner. I have, I think, made reasonably clear to the committee

that I would consider any testimony before this committee a violation of principle, would yield to the pressures that would grant the right of the committee to inquire into these questions. I have no question that the cost of these hearings must be enormous. I am a taxpayer and I pay enormous taxes, and I am wondering—

Mr. TAVENNER. You are deliberately evading my questions.

Mrs. HEALEY. When you know that I am not going to answer, I am not going to answer this or any other question, including your question which simply asks for my opinions on the grounds previously stated. On this question, I simply decline to answer on the grounds my opinion has no validity to this committee. What I think or do not think, what I agree or do not agree with what a newspaperman writes in a story really has very little relevancy or pertinency to this committee.

The CHAIRMAN. Does that purport to be a correct account of what happened at the convention?

Mr. TAVENNER. What I read—at the convention? Yes.

Mrs. HEALEY. Mr. Tavenner simply asked me whether I agree with whoever wrote that.

Mr. TAVENNER. It is not an account of what occurred at the convention, but it was an account of articles, or attempts, at least three attempts, made by the Soviet Union to make known to the Communist Party of this country what action it should take at its convention which was to be held on the following Saturday.

The CHAIRMAN. Did you attend that convention?

Mrs. HEALEY. I decline to answer that question, Congressman, on the grounds previously stated. I would add further, again, however, my offer to this committee or to any other group of interested citizens in these United States, that I will under oath answer all questions in regard to political activities of my own, all that I am aware of, without reservation or hesitation, but I will not do so in this committee, before this committee.

Mr. TAVENNER. This statement has been made at least four times in the record.

The CHAIRMAN. We understand.

Mrs. HEALEY. You ought to take up the statement sometime, then.

The CHAIRMAN. We understand your position.

Mrs. HEALEY. If you are really concerned and interested,

The CHAIRMAN. Never mind.

Mrs. HEALEY. On the political activities of the party, then you ought to sometime take up the offer to do so.

Mr. TAVENNER. The committee has learned a great deal regarding the Communist methods used in handing down directives to the American Communist Party, one clear illustration being that of the Duclos letter which resulted in the ouster of Browder in 1945 and the so-called reconstitution of the Communist Party. Is this not just another illustration of that same tactic?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you submit to the pressures from Moscow and lend your support to the Foster faction as advised by Moscow?

Mrs. HEALEY. Same answer.

(Witness confers with her counsel.)

Mr. TAVENNER. What effect did these directives have on other delegates to the convention?

I notice you are very much amused; but I wish you would pay attention to the questions and try to answer.

Mrs. HEALEY. I am paying close attention. I am feeling an even greater degree of both insult and resentment of what I consider to be wanton waste of taxpayers' money at a continuation of asking these questions when I have so clearly made known to you that I am not going to answer.

Mr. TAVENNER. Will you answer the question?

Mrs. HEALEY. I cannot answer for other people. I would say that I all my life have been my own boss and I continue, on what I will think, on what I did, that is regardless of what pressures may come from the U.S. Government, it may come from the Department of Justice or the FBI or from any other source determining my conduct, I determine my conduct as my conscience dictates.

Mr. TAVENNER. Then you did not yield to the pressures of Moscow?

Mrs. HEALEY. I have already answered that question.

Mr. TAVENNER. You have not.

Mrs. HEALEY. I have answered that question within my understanding of the question.

Mr. TAVENNER. Does your answer mean to impart the idea that you did not submit to the pressures from Moscow?

Mrs. HEALEY. I have submitted to no pressures or yield to no pressures from any source at any time.

Mr. TAVENNER. Including Moscow?

Mrs. HEALEY. You have asked the question. I have answered it.

The CHAIRMAN. Will you answer the question?

Mrs. HEALEY. Including Moscow, sir.

The CHAIRMAN. All right.

Mr. TAVENNER. Did you support the Foster faction or the so-called revisionists faction at that convention?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. Did you later change your support and attack the Foster faction?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. I offer in evidence an article over the name of T. Timofeyev, appearing on page 104 of the March 1957 issue of International Affairs published in Moscow and ask that it be marked "Healey Exhibit No. 3."

The CHAIRMAN. Yes, it will be.

(Document marked "Healey Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. Referring to the national convention of the Communist Party in New York in February of 1957, the writer states in part:

An overwhelming majority voted against the idea of turning the Communist Party into a "political or educational association" and called for the strengthening and consolidation of the Communist Party of the United States.

The convention reaffirmed its loyalty to the principles of proletarian internationalism. This point was made in the main reports and delegates' speeches and also in the resolutions, in one of which the convention reemphasized the American Party's loyalty to the "great principle of proletarian internationalism." The preamble to the new party rules adopted at the convention upholds the cardinal principle that their common interests are the link uniting the workers of all countries.

Then I desire to read the final paragraph:

Pursuing a policy based on tested Marxist-Leninist principles, and applying the great teachings of Marxism-Leninism to U.S. conditions, the American Communist Party will be able to utilize all the possibilities which exist for stepping up the struggle for the vital interests of the working class and the entire American people for peace, democratic freedoms, and social progress.

Now, this is the statement from Moscow after the convention was held. Do you not agree that it places the stamp of Moscow's approval on basic subservience of the party in the United States to international communism?

Mrs. HEALEY. Would you read the question?

(Record read.)

(The witness confers with her counsel.)

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you take any action at the convention in reaffirming loyalty to the principles of proletarian internationalism?

Mrs. HEALEY. The same answer.

Mr. TAVENNER. I refer you now to the closing paragraph which I have read, alluding to the utilization of all possibilities which exist for stepping up the struggle for peace, democratic freedoms and social progress, and ask you to state how the struggle mentioned is to be waged.

Mrs. HEALEY. By whom?

Mr. TAVENNER. By the Communists.

Mrs. HEALEY. Same answer.

Mr. TAVENNER. We find running through Communist Party literature, like a thread through a garment, the term referred to here in Moscow of "peace, democratic freedoms, and social progress."

Mrs. HEALEY. You will also find it in all the speeches and writings of our forefathers, Mr. Tavenner.

Mr. TAVENNER. What is the Communist meaning of those terms?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. It is noted that John Gates stated that he came into the Communist Party for the purpose of waging a fight for peace, democracy, and socialism, that on disbandment of the Daily Worker we find in the last issue headlines, "We will be back, fighting for peace, democracy, and socialism."

We find John Gates, after he has left the party, saying he proposed to continue the fight for peace, democracy, and socialism. What kind of Communist jargon is this which permits the use of those terms both within and without the Communist Party?

(Witness confers with her counsel.)

Mrs. HEALEY. Life would probably be much easier for both investigating committee as well as for the ordinary citizen if words were allowed to mean what words say. The fact that I decline to answer these questions does not mean that I am accepting your assumption as to what the words mean or that they are jargon or any other rather colorful adjectives which you use to describe them. But I do decline to answer this question as well.

Mr. TAVENNER. Well, you see, the committee has found so many instances in which words used in their normal application have an entirely different meaning in the Communist Party. I am trying to get your answer as to the Communist Party meaning of these words.

Mrs. HEALEY. There may be some validity in what you say insofar as this is concerned. I have found in reading all of these transcripts that I read while I was on my vacation of the people who appeared on this committee and then the committee's statement afterwards that the committee has its own peculiar knack of not only making these assumptions but making them with a certain solemn declaration as if they are perforce what you say is true in terms of the misreading, it seems to me, of what is implied in anybody's statement.

I would, however, decline to answer this or any other question you ask in regard to these questions.

Mr. TAVENNER. You have had considerable experience, have you not, with those who have recently withdrawn from the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Will you state whether or not those who have withdrawn have indicated to you an intention to continue the fight for peace, democracy, and socialism?

Mrs. HEALEY. Well, I would come back to an earlier answer I gave you on this question, Mr. Tavenner, and that is that I again state that it is clear from the line of questions you are asking that the statement of the purposes that Congressman Walter gave in opening the hearing, and I would still challenge the legality of that statement, that it is clear, however, that these questions have absolutely no pertinency to any possible legislation that the Congress of the United States could produce.

Mr. TAVENNER. You refuse to answer?

Mrs. HEALEY. And I decline to answer the question.

Mr. TAVENNER. After all is said and done, doesn't it mean that the objectives of the Foster group in the Communist Party and the objectives of the so-called revisionists, with whom, our information is, that you have had some experience, is just the same except one is within the party and the other is without the party, organizationally speaking?

Mrs. HEALEY. I just truthfully do not understand your question.

Mr. TAVENNER. Read the question.

(Record read.)

Mrs. HEALEY. I heard the question. I simply do not understand its intent. I don't know what you mean.

The CHAIRMAN. Reframe your question.

Mrs. HEALEY. That one is within the Communist Party and the other is without the Communist Party. I just don't know what you are referring to.

Mr. TAVENNER. I am asking you to reduce the question to a very simple form, whether or not the objective purposes of the Foster group within the Communist Party are the same as those who have purportedly left the Communist Party although they may not now be members of the same group.

Mrs. HEALEY. Well, in addition to all of the grounds previously stated, when you ask me to give my opinion as to other people's minds, what is in their minds, is really going far afield. Certainly I can see no pertinency or relevancy to the question.

Mr. TAVENNER. Let me correct that. I am not asking you what is in their minds. I prefaced my question by the statement that ac-

According to our information you have had considerable experience with the so-called revisionists who have left the Communist Party. I am asking you to base your answer on your knowledge of their representations to you.

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. John Gates, in the November 1956 issue of Political Affairs, in commenting upon those who left the party, states:

I do not think that Starobin and those like him are lost to the cause of socialism; but will continue to contribute to it in their own way and I believe that in the end we will be reunited.

Do you anticipate that the revisionists group will return to active participation within the organization of the Communist Party?

Mrs. HEALEY. Do I understand, Mr. Tavenner, you are now investigating the question of the ideas and the activities of those who generally believe in socialism?

Mr. TAVENNER. No, I am asking you regarding plans of the Communist Party and those who apparently retain the same objectives.

Mr. MARGOLIS. Plans?

Mr. TAVENNER. Plans.

Mr. MARGOLIS. I think that is inconsistent with the question you asked.

Mr. TAVENNER. No.

(Witness confers with her counsel.)

Mr. MARGOLIS. I suggest we read back the record.

The CHAIRMAN. Read the question.

(Record read.)

Mr. TAVENNER. Now answer the question.

Mrs. HEALEY. I don't quite understand. You talk about the anticipation of plans. Am I understanding you correctly?

Mr. TAVENNER. The question is plain enough.

Do you anticipate that the revisionist group—

Mrs. HEALEY. Do I anticipate that people are planning to return to the Communist Party?

Mr. TAVENNER. You could not very well know about it unless there was some indication to you of an intention or plan to do it.

The CHAIRMAN. Has there been any indication that you know? Put it that way.

Mrs. HEALEY. I, of course, decline to answer the question on the grounds previously stated, although I would again repeat that it is clear that the line of questioning goes further afield as the hearing continues in terms of pertinency to any legislation.

Mr. TAVENNER. Hasn't the Communist Party made as one of its foremost objectives an effort to establish close alliance with the so-called revisionists who have left the party and to bring them back into the party, organizationally speaking?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Returning now to the subject of directives from Moscow, is it not true that the French Communist, Jacques Duclos, once again addressed a letter to the Communist Party of the United States while the convention was in process or immediately prior thereto, in which he stressed the leading role of the Soviet Communist Party?

(Witness confers with her counsel.)

Mrs. HEALEY. The reading of the press coverage of that convention would indicate that the letter that you were referring to from Jacques Duclos was rejected and Mr. Duclos, I understand from reading the press, was told that the American Communists would determine their own policies of the American Communists.

Mr. TAVENNER. What were the contents of that letter?

Mrs. HEALEY. My memory from the press is too scattered to remember.

Mr. TAVENNER. Did you learn of its existence other than through the press?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. Weren't you on hand and didn't you, as a member of the national committee, receive that letter?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You admit, then, that this is at least one instance in which the foreign Communist Party, the international party, endeavored to influence the members of your convention?

Mrs. HEALEY. Your assumptions are your own, Mr. Tavenner. I do not accept your assumptions on this or any other questions that you have raised, and my declining to answer should not be misunderstood that I am accepting the assumptions that are explicit in your questions.

Mr. TAVENNER. Did Steve Nelson, head of the Pittsburgh Communists, at a predawn meeting of February 12, 1957, bring together the opposing leaders of the Communist Party and arrange the composition of a caretaker's committee for the party?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. As a matter of fact, the main issues in the party were not settled at that convention, were they?

Mrs. HEALEY. Well, I don't what your interpretation is, what you are asking would call for, but I decline to answer the question anyway.

Mr. TAVENNER. Let us drop that subject for the moment. I will return to it later.

Is it not true that the November 1957 declaration of the 12 Communist parties entered into in Moscow was another method used by Moscow to support the Foster faction in its traditional stand on internationalism?

(Witnesses confers with her counsel.)

Mrs. HEALEY. I would suggest you call either somebody from the Soviet Union or China or Poland or one of the 12 representatives of the 12 parties participating and ask them.

Mr. TAVENNER. As a member of the national committee and a very intelligent person, I am certain you would have no difficulty answering these questions if you desire to.

Mrs. HEALEY. I have already stated, sir, that I will be happy to answer these and all other questions before any group of interested people. For 30 years I have been looking for people, searching for people, to listen to what I think. I would be delighted to have a forum to answer this or any other question. I will not do so before a committee whose very existence challenges the Constitution and the Bill of Rights.

Mr. TAVENNER. I desire to offer in evidence a copy of a newspaper account of the meeting in Moscow, November 1957, of Communist Party leaders of the 12 nations in which Yugoslavia refused to join, and ask that it be marked "Exhibit No. 4."

The CHAIRMAN. So ordered.

(Document marked "Healey Exhibit No. 4" and retained in committee files.)

The CHAIRMAN. Did you attend this meeting with Steve Nelson and others that Mr. Tavenner just asked you about?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated. I will be glad to answer the questions outside of this hearing room under oath.

(Witness confers with her counsel.)

Mr. TAVENNER. Would you agree that the burden of the declaration from Moscow is an affirmation of the leadership of Moscow in world communism and the pointing up of the necessity of fighting revisionism?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. According to Political Affairs issue of January 1958, the National Executive Committee, CPUSA, at a meeting held December 22, 1957, issued quite a lukewarm statement regarding the 12-Party Declaration of allegiance to Moscow.

Did you participate in the deliberations of that meeting?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. I offer and ask that it be marked "Healey Exhibit No. 5," a copy of the article by the National Executive Committee, CPUSA, appearing in the January 1958 issue of Political Affairs.

The CHAIRMAN. It will be made a part of the record.

(Document marked "Healey Exhibit No. 5" and retained in committee files.)

Mr. TAVENNER. I have before me a copy of another statement made by the National Executive Committee, CPUSA, entitled, "On The Peace Manifesto and the 12-Party Declaration" and appearing in the June 1958 issue of Political Affairs. I desire to offer it in evidence and ask that it be marked "Healey Exhibit No. 6."

The CHAIRMAN. May I see it, please?

Let it be made a part of the record.

(Document marked "Healey Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. This statement is not a lukewarm endorsement of the 12—

The CHAIRMAN. Before you go into that, this is by the national executive committee?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. Are you a member of the national executive committee?

Mrs. HEALEY. I decline to answer the question.

Mr. TAVENNER. I may state for the record, Mr. Chairman, that she is not a member, although the committee has information that she is a member of the National Committee of the Communist Party.

The CHAIRMAN. And the difference?

Mr. TAVENNER. One is the executive committee of the national committee.

(Witness confers with her counsel.)

Mr. TAVENNER: As I was starting to say, this June 1958 statement by the national executive committee is not merely a lukewarm endorsement, it is a welcoming of the action taken by the Moscow 12-Party declarations. It welcomes it in this language. It welcomes it "as renewed evidence of the great contribution to world peace and social progress" and said that the American Communists must truly study and systematically discuss it.

Now I would like to ask you this question: It appears from our study of these two separate actions that in the first one that was taken, that is, the lukewarm endorsement, that the motion was voted for, or in favor of, by John Gates and his friend and it was opposed by William Z. Foster, Eugene Dennis, Benjamin Davis, James E. Jackson, and Bob Thompson.

Can you explain that to the committee?

Mrs. HEALEY. Can I explain the action of the voting of other people?

Mr. TAVENNER. Yes. Explain why the John Gates faction endorsed this lukewarm reception of the declaration whereas Foster and his group voted against it.

Mrs. HEALEY. I would answer that on the same grounds previously stated—

Mr. TAVENNER. In other words, you refuse to answer?

Mrs. HEALEY. That is right.

Mr. TAVENNER. What change came about which enabled the National Executive Committee to change its attitude and give it a warm welcome?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Isn't it because after the adjournment of the convention, with the aid and assistance of Moscow, Foster had become firmly seated in the saddle in the organization of the Communist Party in the United States?

Mrs. HEALEY. I decline to answer on these same grounds.

Mr. TAVENNER. While these factional fights were progressing on the national level, what organizational change was made in the Communist Party in California?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Is it true that at the California State Convention of the Communist Party held on January 19-20, 1957, action was taken to establish the Communist Party of California in the form of two districts, the Southern California District and the Northern California District?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Will you define the geographic boundaries of the two new districts?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is not the boundary between the two this: that the area north of Santa Barbara and Kern Counties is the northern district?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. And that the States of Arizona and Nevada bound both districts on the east?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. And Mexico on the south?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Isn't it true that you are chairman of the newly created Southern California District at this time?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Does not your organization call for the establishment of a district council composed of 62 members?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. And from this district council of 62 members, is there not a district executive board patterned after the executive committee of the national organization composed of 10 members?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Are you not the chairman of this executive board?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was one Don Wheeldin a member of this executive board of the district council prior to March 26, 1958?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is yours or is the Southern California District divided into 28 sections? Am I wrong about that?

Mrs. HEALEY. Same answer.

(Witness confers with her counsel.)

Mr. TAVENNER. Did Don Wheeldin resign from the Communist Party on March 26, 1958?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. According to our information, that would leave nine presently on the executive board of the district council. Is Horace V. Alexander a member of that executive board?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Thomas Creed a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Cornelius Crowe a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Ben Dobbs a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is James Frederick Forest a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Bernard Lusher a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Charlene Mitchell a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Nemmy Sparks a member?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Will you state whether or not it is contemplated, as far as you may have any control over the matter, that William Taylor, formerly of Washington, D.C., is slated to become a member of the executive board at your next meeting, which I believe is in October?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. When is the next meeting?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Mr. Chairman, this would be a good time for a 5-minute break.

The CHAIRMAN. We will have a recess of 5 minutes.

(Members present: Representatives Walter and Tuck.)

(Short recess.)

(Members present: Representatives Walter and Tuck.)

The CHAIRMAN. Proceed, Mr. Tavenner.

Mr. TAVENNER. Was an organizational meeting of the newly formed Southern District of the Communist Party of California held in Los Angeles on April 13 and 14, 1957?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence numerous papers relating to the convention, including resolutions adopted and, in one instance, a resolution which was not voted out by the resolutions committee.

The CHAIRMAN. These are resolutions considered at an executive session?

Mr. TAVENNER. The one resolution I mentioned was considered at a meeting of the resolutions committee and was not voted out, but another resolution on the same subject was voted out.

The CHAIRMAN. All right.

Mr. TAVENNER. I will ask the witness questions regarding that when we arrive at it.

There is the organizational convention of the new district formed in southern California of which our information indicates that the witness was the chairman.

The CHAIRMAN. Was this a public meeting?

Mr. TAVENNER. No, sir.

Our information is that very definite security provisions were made regarding those who attended the meeting.

These documents are as follows:

Report to Southern California District Convention by Dorothy Ray Healey.

(Healey Exhibit No. 7)

(For text of document see Exhibit I of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 56)

Mr. TAVENNER. Trade Union Resolution, Southern California District Convention.

(Healey Exhibit No. 8)

(For text of document see Exhibit II of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 66)

Mr. TAVENNER. Rules of the Convention.

(Healey Exhibit No. 9)

(For text of document see Exhibit IX of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 77)

Mr. TAVENNER. Resolution offered by the Constitution and Organizational Committee for action by the convention.

(Healey Exhibit No. 10)

(For text of document see Exhibit XI of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 82)

Mr. TAVENNER. Copy of a letter dated April 12, 1957, from the People's World, Los Angeles staff to the delegates to the convention.

(Healey Exhibit No. 11)

(For text of document see Exhibit VII of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 75)

Mr. TAVENNER. Resolution on a Negro-Labor Alliance.

(Healey Exhibit No. 12)

(For text of document see Exhibit III of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 69)

Mr. TAVENNER. An excerpt from the California Eagle, a publication bearing date, April 11 (1957), relating to a joint mass pilgrimage to Washington of 100,000 people set for May 17.

(Document marked "Healey Exhibit No. 13" and retained in committee files.)

Mr. TAVENNER. A Resolution by Subcommittee on Mexican Work. I hand this document to the witness and ask whether or not this resolution was killed in the subcommittee.

(Document marked "Healey Exhibit No. 14" and retained in committee files.)

Mr. TAVENNER. And was not voted out.

Mrs. HEALEY. Same answer.

Mr. TAVENNER. A Resolution on Mexican Work.

(Healey Exhibit No. 15)

(For text of document see Exhibit IV of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 70)

The CHAIRMAN. The first resolution you showed was a resolution that was proposed and rejected?

Mr. TAVENNER. And, according to our information, rejected.

The CHAIRMAN. Was this a resolution offered by the witness?

Mr. TAVENNER. No.

The CHAIRMAN. What connection did she have with it?

Mr. TAVENNER. She was chairman of the meeting and had filed a report on the subject of Mexican matters as well as all of these other resolutions.

The CHAIRMAN. Were all these furnished you by the witness?

Mr. TAVENNER. No, sir; she has not furnished them.

The CHAIRMAN. How many people attended this meeting?

Mr. TAVENNER. I would like to ask the witness how many were in attendance at this meeting.

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Didn't 125 attend the first day and 140-odd the second day?

Mrs. HEALEY. I decline to answer on the same grounds.

Mr. TAVENNER. The Jewish People in the United States.

(Healey Exhibit No. 16)

(For text of document see Exhibit V of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 71)

Mr. TAVENNER. A Resolution on the People's World.

(Healey Exhibit No. 17)

(For text document see Exhibit VI of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 74)

Mr. TAVENNER. A reprint from the April 9, 1957, Daily Worker relating to the text of the Harry Bridges letter to George Meany.

(Document marked "Healey Exhibit No. 18" and retained in committee files.)

Mr. TAVENNER. Constitution of the Communist Party, U.S.A. (adopted by the 16th National Convention, February 9-12, 1957).

(Document marked "Healey Exhibit No. 19" and retained in committee files.)

Mr. TAVENNER. Report of the Constitution and Organization Committee.

(Healey Exhibit No. 20)

(For text of document see Exhibit X of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 78)

Mr. TAVENNER. Communist Party Convention, an editorial.

(Document marked "Healey Exhibit No. 21" and retained in committee files.)

Mr. TAVENNER. It appears from your report to the convention, Healey Exhibit No. 7, that one of the specific programs assigned to the Southern California Communists is the formation of an antimonopoly coalition. Is this the latest expression of the Communist Party in its struggle to destroy free enterprise in the United States?

Mrs. HEALEY. This—is that subversive to be against monopolies in the United States, Mr. Tavenner?

Mr. TAVENNER. Will you answer the question?

Mrs. HEALEY. I do not think it is pertinent to the inquiry, legislative inquiry, that the Congressman announced as the purpose of this committee.

Mr. TAVENNER. May I have a direction that the witness answer?

The CHAIRMAN. You are directed to answer.

Mrs. HEALEY. I decline to answer on all the grounds previously stated, and in addition the ground of pertinency.

Mr. TAVENNER. In your discussion of the subject of monopoly, do you use that term in the sense of the free enterprise system in the United States?

(Witness confers with her counsel.)

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I ask you if it is not a fact that in the Communist use of the language that you are going to struggle against monopoly, you mean struggle against the free enterprise system of the United States?

Mrs. HEALEY. I would imagine, Mr. Tavenner, that Communists use the word "monopoly" the way all other Americans use the word "monopoly," and that is referring to the giant trusts that have a stranglehold on the free economy.

Mr. TAVENNER. Is that the way you use it?

Mrs. HEALEY. I decline to answer the question.

Mr. TAVENNER. It is also noted from this report, that is Healey Exhibit 7, that the Communist Party is not satisfied with the struggle for socialism, but that it demands participation in class and national

struggles in order to convert non-Communists to revolutionary consciousness. Does that mean that the Communist Party is seeking to stir the masses into revolutionary action?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated, the grounds being based on the 10th amendment, on the 1st amendment, the 5th amendment, and pertinency; all four being included in all previous answers.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mrs. HEALEY. Same answer.

Mr. TAVENNER. It is stated in the report that the entire Communist Party in Southern California is called upon to concern itself with the problems of labor so that labor can move effectively to influence the affairs of the Nation and finally lead it.

Is that a Communist Party expression to the effect that the Communist Party by this means has determined to establish the dictatorship of the proletariat?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. By having a Communist government?

Mrs. HEALEY. Same answer, although do I understand your question that you are making synonymous a government led by labor with what you call the dictatorship of the proletariat?

Mr. TAVENNER. I am asking you whether or not you are urging in your report that the Communist Party concern itself with labor so that labor could finally lead the Government. I am asking you whether or not you mean by that if that is a step in the establishment of the dictatorship of the proletariat?

Mrs. HEALEY. Same answer, Mr. Tavenner.

Mr. TAVENNER. Your report also states that "The working classes strive to fulfill the expression of internationalism." I will ask you;

Do you not mean by this that as a practical matter labor must support or the masses must support the policies of the Soviet Union?

Mrs. HEALEY. Before I answer the specific question, I might point out to you, Mr. Tavenner, that I believe it was President Abraham Lincoln who declared the strongest bond in the world is that which unites the working people of the world. However, in regard to your specific question, in regard to the question you asked, I decline to answer on the grounds previously stated.

Mr. TAVENNER. Didn't you change your views later to the extent that you were a violent opponent of the execution of Nagy?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. Your report makes a part of the Communist Party program in southern California a campaign to withdraw our forces from Europe; does it not?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. Actually, the Communist Party is serving as a willing tool for the foreign policy of the Soviet Union, isn't that correct?

Mrs. HEALEY. That is your assumption. I decline to answer the question on the grounds previously stated; and the fact that I am declining to answer it does not mean in any way that I agree with your assumption.

Mr. TAVENNER. Does not your report demonstrate that to be the fact—that the Communist Party of the United States is being used as a tool for the promotion of the foreign policy of the Soviet Union?

Mrs. HEALEY. I decline to answer on the grounds previously stated, although I will repeat again that as far as I am concerned and as far as a lifetime of conscious political thinking and activity is concerned, I have never been the tool of anyone or any country.

Mr. TAVENNER. But you have echoed in this report the directions of the National Committee of the Communist Party; have you not?

Mrs. HEALEY. I decline to answer on the grounds previously stated although I would state again that never in my life have I said or acted in any way other than the dictates of my own conscience.

Mr. TAVENNER. And you are having trouble in the Communist Party because of it; are you not?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Will you tell us how this factional fight, between the Foster faction and the so-called revisionists on a national level, affected the Communist Party in the Southern District of California of which you were and still are the chairman?

Mrs. HEALEY. That is a very broad question, Mr. Tavenner.

Mr. TAVENNER. Yes, and I am giving you quite a bit of latitude to answer it. How does it affect it?

Mrs. HEALEY. I decline the invitation, sir. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Let us start out by this. Did you not have many resignations as a result of it?

Mrs. HEALEY. I beg your pardon?

Mr. TAVENNER. Didn't you have many resignations from the Southern District of California as a result of these factional differences?

Mrs. HEALEY. I decline to answer; same grounds.

Mr. TAVENNER. Wasn't the second manifestation in the form of a letter of grievances to the national committee signed by 22 members of your district? Wasn't that a manifestation?

Mrs. HEALEY. Well, I am not responsible for your assumptions or interpretations of any questions, but I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. Do not let us call it a manifestation. Let us call it a fact. Is it not a fact that a letter of grievances, signed by 22 members of the Communist Party from the Los Angeles district, was addressed to the National Committee, Communist Party U.S.A.?

Mrs. HEALEY. I decline to answer the question on the grounds previously stated although what this has to do with the legislation, I am still very much in the dark.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence as exhibit 22, a copy of a letter bearing date of December 14, 1957, addressed to the National Committee.

(Witness confers with her counsel.)

Mr. TAVENNER. Of the Communist Party of the United States, signed by a number of people.

The CHAIRMAN. It will be made a part of the record.

(Healey Exhibit No. 22)

(For text of document see Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 19)

Mr. TAVENNER. It is noted that this letter is signed by the full names of some individuals; it is signed by the first name and middle initial of others; and in some cases it is signed by merely a first name.

Will you help us, please, to identify the names of these signatories to this letter?

* * * * *

Mr. TAVENNER. There appears here the name of Bebe, Boyle Heights. Does that indicate the name of Beatrice Goldstein of Boyle Heights, a section of the Communist Party?

Mrs. HEALEY. I decline to answer.

Mr. TAVENNER. The name Ada, Boyle Heights. Does that indicate the name of Ada Dobbs?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Celeste, Zapata. Does that indicate the name of Celeste Strack Kaplan, of the Zapata Section of the Communist Party?

Mrs. HEALEY. Same answer.

* * * * *

Mr. TAVENNER. The name Elizabeth, Moranda Smith. Does that indicate that is the name of Elizabeth Ricardo Jackson, of the Moranda Smith Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. There is a second name of Elizabeth, Echo Park. Does that indicate the name of Elizabeth Spector of the Echo Park Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is Elizabeth Spector the wife of Frank Spector?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Frank Carlson, Boyle Heights. Are you acquainted with him?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Another name on this paper is Frank Spector, Echo Park. Are you acquainted with Frank Spector?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Henry Steinberg, Valley 22. Does that indicate Henry Steinberg is of the Valley 22 Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Joe, Valley 22. Does that indicate the name of Joe Gavron of the Valley 22 Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. The name Kappy, Miscellaneous Industrial. Does that indicate the name of Leonard referred to as Kappy Kaplan?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Of the Miscellaneous Industrial Section of the Communist Party?

Lil C, Boyle Heights. Does that indicate Lillian Carlson of the Boyle Heights Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Lois Newman, San Gabriel. Does that indicate Lois Newman is of the San Gabriel Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Lou B. Building Trades. Does that indicate Louis Baron as a member of the Building Trades Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Mort Newman, Miscellaneous Industrial. Does that indicate that he was a member of the Miscellaneous Industrial Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Phil, Western. Does it indicate Phil Rafalow of the Western Division of the Communist Party?

Mrs. HEALEY. Same answer.

* * * * *

Mr. TAVENNER. Sid, Miscellaneous Industrial. Does that indicate Sid London of the Miscellaneous Industrial Section of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Sophie, West Adams. Does that indicate Sophie Kishner of the West Adams Club of the Communist Party?

Mrs. HEALEY. Same answer.

* * * * *

Mr. TAVENNER. Did you participate directly or indirectly in the preparation of that letter of grievances?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Weren't you accused by Max Steinberg at the meet-
of July 27, 1958, of the Southern California District Council of the
Communist Party that you had a part in the preparation of the letter
of the Los Angeles 22?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you deny Max Steinberg's charges?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Who were its authors?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. It is noted that this letter contains a recommenda-
tion that the present structure of the party be made more flexible so
that membership in the present type of party club is not necessarily
a requirement for adherence to the Communist Party organization.
Do you recall that?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Do you need me to reread that?

Mrs. HEALEY. I wouldn't. I would decline to answer any questions
in regard to it, so that it isn't necessary.

Mr. TAVENNER. You mean you are not listening to these questions
because you have made up your mind that you are not going to answer?

Mrs. HEALEY. It would be impossible to avoid listening, Mr. Taven-
ner, as both of us know. Of course, I would. It is clear also that you
are just continuing in what you will forgive me if I will say is a rather
willful, wasteful use of taxpayers' money by continuation of a line of
questions which you already know I am not going to answer.

Mr. TAVENNER. If it is the taxpayers' money, I lay the charge right at your door for refusing to make the effort profitable.

(Counsel confers with the witness.)

Mrs. HEALEY. No; I think, Mr. Tavenner, that the aggressor usually is the one who is held responsible for the violation, not the victim. I did not invite the committee to come here. I did not ask for a subpoena. I did not desire to appear.

Mr. TAVENNER. It is well known that the Communist Party desires to hide all of its manipulations, and we are trying to uncover some of them.

Mrs. HEALEY. I have already stated, Mr. Tavenner, and let me repeat it again, that there is nothing in my lifetime that I am trying to hide. I will be very glad to answer all questions in regard to my own opinions and my own activities, my lifetime of pursuit of democracy—and I know you do not like the word—before any group of Americans. I will not in any way yield to the violation of the Constitution which this committee perpetrates by its insistence on inquiring into a forbidden area.

Mr. TAVENNER. Do you recall now the question that I asked you?

Mrs. HEALEY. You were asking me in regard to a quotation from a document you have before you as to whether or not I remembered something was in there.

Mr. TAVENNER. Let me repeat the question.

This letter contains a recommendation—I am speaking now of the letter of grievances written by the 22 Los Angeles members of the Communist Party—that the present structure of the party be made more flexible so that membership in the present type of party club is not necessarily a requirement for adherence to the organization.

Does this not indicate that those withdrawing or contemplate withdrawing from the Communist Party because of factional differences are doing so in name only?

(Witness confers with her counsel.)

Mr. TAVENNER. And that they are still for all essential purposes adherents to the Communist Party organization?

Mrs. HEALEY. Let me ask you, Mr. Tavenner, are you pursuing this line of inquiry in order that you can later make a very interesting sounding statement that the witness refused to answer some 500 questions or something? I am really curious as to why the persistence in the line of inquiry.

Mr. TAVENNER. May I ask that the witness be directed to answer?

The CHAIRMEN. The witness is directed to answer.

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you support that recommendation?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you have anything to do with the preparation of that letter?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. A paragraph in this letter expresses the conviction that all avenues must be sought for unity with forces who have left the party. Does this not indicate the desire on the part of the writers of the letter to still remain affiliated or to secure reaffiliation with the Communist Party of those who had left because of revisionist views, so-called revisionist views?

Mrs. HEALEY: I will repeat again, Mr. Tavenner, that your continuation in the line of inquiry only documents my earlier statement that this is not a genuine inquiry. It is not a bona fide inquiry for the purposes of legislation, that by hook or by crook the committee is still attempting to find a way of evading the Supreme Court decision on the Watkins and Sweezy cases. If the committee is really interested in investigating subversive activities, for instance on May 18, J. Edgar Hoover announced that in violation of Federal law he was tapping 90 telephones. This is a committee in regard to the upholding supposedly ostensibly of the laws of the United States.

The CHAIRMAN. We know what the purpose is. Certainly we have nothing to do with the tapping of telephones.

Mrs. HEALEY. But it would seem to me if your concern is with the framework of the Government that you would at least take a position and call before this committee under subpoena, Mr. Hoover to answer for his violations of Federal law.

The CHAIRMAN. We have nothing whatsoever to do with that type of activity.

Mr. TAVENNER. What action was taken by the National Committee of the Communist Party on this letter of grievances?

Mrs. HEALEY. I decline to answer.

Mr. TAVENNER. What action did you take?

Mrs. HEALEY. I decline to answer.

Mr. TAVENNER. I hand you what purports to be a copy of "Comments on the Status of the Party" by Dorothy Ray Healey. I will ask you to identify it as a treatise prepared by you as a result of the letter of grievances. Will you identify its contents as a treatise prepared by you?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. I desire to offer this document in evidence and ask that it be marked "Healey Exhibit No. 23."

(Healey Exhibit No. 23)

(For text of document see Exhibit XII of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 83)

Mr. TAVENNER. Was this treatise handed down by you on March 9, 1958, to the 62 members of your district council for discussion on a section level?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was this document a reversal of your position taken previously at the April 1957 organizational meeting of your district, on matters relating to the National Convention of the Communist Party held in February 1957?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you not charge or undertake in this document to severely criticize the national leadership of the Communist Party for not having fulfilled what you call the responsibilities placed on it by the Sixteenth National Convention?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Among leaders of the Communist Party whom you criticized in this document were Eugene Dennis, James Jackson, James Allen, and William Z. Foster; is that not true?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Were you charged by Ben Davis of "Titoism" as a result of your opposition to the leadership of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Have you not by this criticism endeavored to set up a type of leadership in the Southern District of California to differ in its purposes from the national leadership of the Communist Party with you at its head?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Does the Communist Party permit this type of opposition to its national leaders?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Do you not consider that this action on your part has caused your days to be numbered as a member of the National Committee of the Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. It is noted in this document that you claim the distinction of having your district provide leadership on such political fronts as the H-bomb, Little Rock, and the South in general, and the 1958 elections? That is a quotation from your document. What leadership have you furnished in each of these instances or fields?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. What means have you adopted to take part in the H-bomb campaign?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did it include—

(Counsel confers with the witness.)

Mr. TAVENNER. Did it include the selection of a member of the Communist Party to make public talks on the subject of the H-bomb under the pretense that he was a scientist without revelation of the fact that he had been a member of the Communist Party?

Mrs. HEALEY. Same answer, although are you going into the field of inquiry, Mr. Tavenner, that opposition to the H-bomb is something that this committee has any considered right at all that it can legislate against?

Mr. TAVENNER. I am going into the subject, as you well know, for the reason of showing what the Communist Party is actually doing here, and as far as we can ascertain, the purposes.

Mrs. HEALEY. But isn't this all in an area that is already very emphatically protected by the first amendment and that the Supreme Court has rebuked this committee on this in the past for going into areas that are forbidden by the first?

The CHAIRMAN. Go ahead, Mr. Tavenner.

Mr. TAVENNER. What means have you used to exert Communist influence at Little Rock and the South generally referred to in your document?

Mrs. HEALEY. I would urge that the most pressing thing in this country right now is the question which at this point happens to be centered around Little Rock. Again I would say that the committee is really to fulfill its ostensible obligation and inquire into those who are fomenting force and violence in Little Rock, to deprive citizens of constitutional rights, would be in the order of the day.

Mr. TAVENNER. On February 25, 1957, in the issue of the New Leader, to which I have referred earlier, there is an article "U.S. Com-

munists Convene" by Walter K. Lewis. I will read one section of a paragraph from that article:

The Communists directed special emphasis to the Negro question in their declaration of principles and Carl Rachlin reported that a major effort to infiltrate the National Association for the Advancement of Colored People and the National Urban League should be anticipated.

Have you endeavored to carry out what is indicated to be anticipated in that field?

Mrs. HEALEY. It seems to me that this line of questioning, Mr. Tavenner, particularly at this moment, is a shameful thing, when you know as well as I know and probably even better because you are more acquainted with the South in a personal sense than I am, the gross attacks and violations and persecutions against Negro children that are taking place, that you would attempt to carry out what is a clear line of propaganda—

The CHAIRMAN. Will you answer the question?

Mrs. HEALEY. On the part of Southern supremacies by carrying on this line of inquiry, it would seem to me to be one of the most reprehensible acts of this committee in its history. Negro children are being deprived of the rights of education.

The CHAIRMAN. Mrs. Healey—

Mrs. HEALEY. You know and I know that, and, Congressman Walter, you know it, and that you would attempt—

The CHAIRMAN. Just a moment.

Mrs. HEALEY. To turn this terrible thing around into something that seeks at this point not only your purpose—

The CHAIRMAN. Are you doing it?

Mrs. HEALEY. I decline to answer the question on all the grounds previously stated before and I would repeat again the fact that I am declining to answer in no way involves any assumption that your questions have any relevancy or validity.

Mr. TAVENNER. In what manner have you sought to use the Communist influence in the 1958 elections of which you make boast in your document?

Mrs. HEALEY. It is a well-known fact, unfortunately, and tragically, that every time California has an election, or almost every time California has an election, this committee appears on the scene. It seems that again the merry and weary farce is repeating itself. If I were I would have a constitutional right to do it. Any questions of election activities are certainly so patently forbidden from this committee to inquire into that I decline to answer on the grounds previously stated.

Mr. TAVENNER. You know very well that I am speaking of Communist Party plans, not what people do as individuals. So what are you doing as the Communist Party?

Mrs. HEALEY. I repeat again the answer that I gave you earlier, and that the Supreme Court in upholding the Constitution has already stated that the activities of the Communist Party as activities are protected by the first amendment and if there are any illegal activities concerned there are agencies of the Government to take care of them.

I repeat again to you, gentlemen, the fact that after some 30 years and after 6 months' time with 25 FBI informers testifying, there could be found no proof that I have ever in my life engaged in any illegal activities, in any conspiratorial activities of the kind that are

prohibited, should be indication of the fact that the committee simply must carry on this type of thing not for the purpose of any genuine legislative purpose that would be of any help or interest to the people of the United States, but simply as a further attack on the Constitution.

Mr. TAVENNER. How, if at all, did your treatise affect the Los Angeles 22 who signed the letter of grievances?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I hand you what purports to be a copy of a letter of resignation to the National Committee, Communist Party of the United States, bearing date March 26, 1958, and ask whether you are familiar with its contents [handing letter to the witness].

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I desire to offer the letter in evidence and ask that it be marked "Healey Exhibit No. 24."

The CHAIRMAN. It will be made a part of the record.

(Healey Exhibit No. 24)

(For text of document see Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, p. 22)

Mr. TAVENNER. This letter of March 26, 1958, addressed to the National Committee, Communist Party of the United States, is signed by 16 people from southern California, some from northern California, resigning from the Communist Party and stating the reasons therefor.

Did you have anything to do with the preparation of that letter of resignation?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you consulted about it?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. This letter clearly shows by its language and positive declaration that it is the purpose of this group when the time is ripe to form an organization which will continue to advance communism in the United States.

Will you tell the committee what knowledge you have regarding any such plan?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Have overtures been made to you to resign from the Communist Party and join this group?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Mr. Chairman, at this point I go into another subject. I do not know whether or not you want to stop here for lunch.

The CHAIRMAN. We will take a break. We will resume the hearings at 2 o'clock.

(Members present: Representatives Walter and Tuck.)

(Whereupon, at 12:25 p.m., Tuesday, September 2, 1958, a recess was taken until 2:10 p.m., this same day.)

AFTERNOON SESSION—TUESDAY, SEPTEMBER 2, 1958

The hearing was resumed at 2:10 p.m., pursuant to the recess.

The CHAIRMAN. The committee will be in order.

(Committee members present: Representatives Walter and Tuck.)

The CHAIRMAN. Are you ready, Mr. Margolis?

Mr. MARGOLIS. Yes.

The CHAIRMAN. Proceed, Mr. Tavenner.

TESTIMONY OF DOROTHY RAY HEALEY, ACCOMPANIED BY
COUNSEL, BEN MARGOLIS—Resumed.

Mr. TAVENNER. Did you attend as a delegate a meeting of the National Committee of the Communist Party, U.S.A., held in New York City on June 28-29, 1958?

Mrs. HEALEY. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Was Ben Dobbs one of the representatives or delegates to that meeting from the Southern District of California?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Charlene Alexander Mitchell a delegate to that meeting from the Southern District of California?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Pettis Perry a delegate to that meeting?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. From southern California?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was there an enlarged meeting of the District Council of the Southern District of California Communist Party and Communist Party functionaries held at 607 South Western Avenue, Los Angeles, on Sunday, July 27, 1958, the purpose of which was to receive a report from delegates to the national committee meeting held on June 28 in New York City?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is it not correct that the majority report to the district council meeting that I referred to consisted of a copy of the Report of Eugene Dennis to the National Committee, CPUSA, presented on June 28, 1958; a copy of the Labor Policy statement adopted by the National Committee, CPUSA, June 29, 1958, and a copy of a report to National Committee, June 28, 1958, On the Work and Consolidation of the Party by Bob Thompson? My question is: Did not those three reports constitute the majority report to the Southern District Council of the California Communist Party?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. I offer in evidence, Mr. Chairman and ask that the report of Eugene Dennis be marked "Healey Exhibit 25," the report On the Work and Consolidation of the party by Bob Thompson be marked "Healey Exhibit 26."

(Documents marked "Healey Exhibits Nos. 25 and 26 respectively.)

(For text of documents see Exhibits XV and XVI of the Report on the Southern California District of the Communist Party, H. Rept. No. 259, April 3, 1959, pp. 100 and 110, respectively.)

Mr. TAVENNER. Also the report of the labor policy statement adopted by the National Committee, CPUSA., as "Healey Exhibit No. 27."

(Document marked "Healey Exhibit No. 27," and retained in committee files)

The CHAIRMAN. They will be so marked.

Mr. TAVENNER. Did you take the floor at the district council meeting held on July 27, to which I referred, and announce that you would make a minority report on what took place at the national committee meeting of June 28, 1958?

Mrs. HEALEY. Same answer.

(Witness confers with her counsel.)

Mr. TAVENNER. Did you not at this district council meeting disapprove of the report of Dennis insofar as it related to Yugoslavia, France, and the execution of Nagy?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. You understand that my reference to Yugoslavia and France has reference to the Communist Party of those countries?

Mrs. HEALEY. I understood.

Mr. TAVENNER. Was a resolution introduced at the national committee meeting, June 28, opposing the execution of Nagy?

Mrs. HEALEY. Same answer, Mr. Tavenner.

Mr. TAVENNER. Was this resolution proposed by a group on the national committee generally referred to as the Healey bloc?

Mrs. HEALEY. Same answer, Mr. Tavenner.

The CHAIRMAN. The Healey faction?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. The committee has information that this bloc, known as the Healey bloc, was composed of 10 persons including yourself. Was Anna Correa one of those?

Mrs. HEALEY. The same answer, Mr. Tavenner.

Mr. TAVENNER. Was Ben Dobbs of southern California one of those.

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Steve Nelson one of them?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Joe Roberts one of them?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Dave Davis one of them?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Si Gerson one of them?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Mickey Lima one of them?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Al Richmond, editor of the People's World from northern California, one of that bloc?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was Martha Stone one of them?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Was the execution of Nagy the subject of discussion at the July meeting of the district council?

Mrs. HEALEY. I gather you are referring to the execution of Nagy?

The CHAIRMAN. Imre Nagy.

Mrs. HEALEY. I decline to answer.

The CHAIRMAN. Mr. Tavenner appreciates your superior knowledge of Mr. Nagy.

Mrs. HEALEY. I am of Hungarian ancestry.

Mr. TAVENNER. Did not Pettis Perry and Charlene Mitchell, both members of the national committee, James Forest, William Taylor, and others, take the floor at the meeting of July 27, and express approval of the Soviet execution of Prime Minister Nagy?

Mrs. HEALEY. Same answer, Mr. Tavenner.

Mr. TAVENNER. Did you not oppose at the meeting of July 27 and disagree with that part of the Thompson report relating to the lack

of confidence by Communist Party members in the Communist Party and in its future?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. The committee has information that at this meeting of July 27, you stated that the Thompson approach on this question was a real Trotsky line. Is that true?

Mrs. HEALEY. Same answer, Mr. Tavenner.

Mr. TAVENNER. I fail to see any reason for levity that you seem to be attempting to express here.

Mrs. HEALEY. Well, I must confess that, in the first place, the repetition of questions in an illegal field becomes very wearisome. Secondly, the contents of some of the questions I gather are being asked in a facetious manner.

Mr. TAVENNER. No.

The CHAIRMAN. It must occur to you that someone knows all about your activities to give us this information.

Mrs. HEALEY. Then if that is true, Mr. Walter, all the more reason why this hearing is even more farcical than I indicated earlier. If you already think that you know the answers to these questions then my appearance is certainly a waste of your time and my time.

The CHAIRMAN. The last thing in the world I would do would be waste my time.

Mrs. HEALEY. And I hope mine.

The CHAIRMAN. I am disturbed, though, by your refusal to help this committee because we have every reason to believe that you could render a great deal of service in the strengthening of the security of this great country of ours.

Mrs. HEALEY. I have a very strong feeling about strengthening the security of our country. I feel it most passionately and deeply. I think the best strength of this committee would be the abolition of the mandate which, according to my opinion, weakens the security of the country.

Mr. TAVENNER. That is because of its efforts to present to Congress the real facts regarding the activities of the Communist Party of which you are a member, a leading member; isn't that true?

Mrs. HEALEY. The fact is that for over at least 20 years this committee has been carrying out ostensibly at least that purported purpose, and the fact remains that all that time this committee has not been able to bring in constitutional legislation because it is attempting to go into fields which the committee knows is forbidden to it, and therefore the conclusion of any citizen must be that what the committee is attempting to do is simply to perpetuate itself and to carry on an attack of black lies, of attempting exposure, in order to conduce an atmosphere of conformity in the country. It is not a new thing historically, and it is one of the reasons why the Bill of Rights was put into the Constitution. From time immemorial there have been political and ambitious men who have attempted to do precisely that.

I consider that resistance to this committee's illegal activities is the highest attribute of patriotism.

Mr. TAVENNER. Will you tell the committee whether or not at this meeting of July 27, you criticized the leadership of the Communist Party by charging that there will soon be no interparty democracy in the Communist Party?

Mrs. HEALEY. The same answer as previously given.

Mr. TAVENNER. Were you influenced to make any statement before this meeting of July 27 on interparty democracy by reason of the dropping of Sam Kushner of Chicago, slated for election to the national committee, because he did not come to the defense of the Dennis and Thompson reports?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. In fact, didn't you make that charge?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you not also announce at this meeting of July 27 that you made a motion to elect Ben Dobbs to the National Executive Committee of the Communist Party when this, the second largest Communist area in the country, had no representation on that body?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. You did present such a motion, did you not, and it was defeated?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Were you influenced in your criticism of the leadership of the Communist Party by the fact that at the meeting of the national committee you were limited to 10 minutes over a period of 3 days to express your views on Communist Party issues?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Didn't you announce to the district meeting that that was all the time you were allowed?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you not criticize the leadership of the Communist Party on the ground that although the Thompson report was permitted to be filed and approved, you were not given an opportunity to even discuss it on the floor?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Didn't you charge that the penalty of nonconformity to the dictates of the leadership of the Communist Party was expulsion from leadership?

Mrs. HEALEY. In view of all your questions, Mr. Tavenner, that you have been asking me, both you and the Congressman claim that you have this in your file, and it would appear to be at least paradoxical. You claim that I am a member of the national committee and then you recite all these lists of disagreements and contradictions that I have with the national committee, and yet you say—

The CHAIRMAN. Will you answer the question?

Mr. TAVENNER. What do you say?

Mrs. HEALEY. I decline to answer the question.

Mr. TAVENNER. Did Ben Davis at the national committee meeting charge you with Titoism?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Didn't you state that that occurred at the meeting of your district council on July 27?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did you not also say—let me put it this way—the committee has information that at the meeting of July 27, you stated that Ben Davis at the national committee meeting said that you should be removed from leadership in southern California?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Is that true?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. When you reported what Ben Davis had said, did not most of those present at the district convention applaud, thus indicating their approval of your removal from leadership in the Communist Party in the Southern District of California?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. After the making of a minority report by you at the meeting of July 27 of the district council, what course was then taken at the meeting to stifle the opposition that you had expressed to the Dennis report, the execution of Nagy, and your opposition to the Thompson report?

Mrs. HEALEY. Same answer, Mr. Tavenner.

Mr. TAVENNER. Was not Pettis Perry called upon to make a majority report from the floor?

Mrs. HEALEY. Same answer, Mr. Tavenner.

Mr. TAVENNER. Did not Pettis Perry read to those present page 74 of the Sixteenth National Convention party resolution, stating that the majority views must be abided by?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did he not state that all Communists are duty-bound to support all three reports?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Did not Pettis Perry criticize the Healey bloc for standing up and criticizing Socialist countries in the national committee meeting?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. Does not all this demonstrate that the Foster faction is firmly in control of the Communist Party, USA, that democratic centralism at its worst is being enforced under the threats of expulsion?

(Counsel confers with his client.)

Mr. TAVENNER. And the country is in fact being faced with the same Communist Party as existed prior to the Sixteenth National Convention and under the tutelage and direction of Moscow?

Mrs. HEALEY. Well, if what you mean by demonstration, that type of demonstration that would be necessary under due process, I don't think your question demonstrates anything. No facts have been adduced that indicate that. But you obviously have an opinion. If you are asking my opinion, I decline to answer on the grounds previously stated.

Mr. TAVENNER. In fact, the only thing that saved you at the July meeting from disciplinary action of the Communist Party was the tabling of a motion that was made for your removal as district chairman; isn't that correct?

Mrs. HEALEY. Same answer.

(Counsel confers with his client.)

Mr. TAVENNER. What is the Communist Party plan at this time for the infiltration of non-Communist associations in southern California?

Mrs. HEALEY. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. I have no questions.

Mr. TUCK. I have no questions.

Mr. TAVENNER. Mr. Chairman, three witnesses have been subpoenaed who are represented by Mr. Margolis, each of whom has furnished medical information indicating serious illness and, in the judgment of their physicians, it would be dangerous for them to appear as witnesses. I seem to have mislaid them.

Mr. MARGOLIS. I have them.

The CHAIRMAN. Do you know the physicians?

Mr. MARGOLIS. I do not, sir, but I know their reputation. One of them, for example, is from Cedars of Lebanon Hospital. I do not know if you are familiar with it, but it is considered one of the finest hospitals here. I do not think that I know any of the three doctors personally, if that is what you are asking, but I do know them by reputation. I have talked to them over the phone.

The CHAIRMAN. They would not give certificates unless there was reason for it?

Mr. MARGOLIS. I am absolutely positive they would not. I told them over the phone, though, I don't think it is necessary that they should be willing to submit each of these persons to a physical examination to any doctor that the committee desired if the committee desired it, and that we wanted the kind of report which any reputable doctor would agree with one way or the other.

The CHAIRMAN. These are reputable doctors?

Mr. MARGOLIS. Oh, yes; no question about it.

The CHAIRMAN. I guess that is all right.

Mr. TAVENNER. The names of these witnesses are Morris Karson, _____, and _____.

May I suggest that the medical statements be filed?

The CHAIRMAN. Yes, we will file them and continue these witnesses under subpoena.

Mr. MARGOLIS. Continue pending further investigation?

The CHAIRMAN. That is right.

Mr. MARGOLIS. As I say, they are willing, any of them, to submit to an examination if that is the desire of the committee.

As I understand it, their present appearance date is vacated; is that correct?

The CHAIRMAN. No; it is not vacated. It is set aside for the moment. They do not have to appear until they are notified.

Mr. MARGOLIS. I understand that. In other words, it will not be a defiance to this committee's order not to appear on the date for which they have the subpoena.

The CHAIRMAN. Call your next witness.

Mr. TAVENNER. I would like to call Mr. Donald Wheeldin.

The CHAIRMAN. Will you raise your right hand?

Mr. MILLER. I am not Mr. Wheeldin, Your Honor.

The CHAIRMAN. Do not call me "Your Honor."

Mr. MILLER. Excuse the old courtroom habit.

STATEMENTS OF LOREN MILLER AND AL WIRIN, ATTORNEYS, LOS ANGELES, CALIF.

Mr. MILLER. My name is Loren Miller. I am an attorney at law with offices at 2822 South Western, Los Angeles. My telephone number is REpublic 1-4142. I appear here with Mr. Al Wirin, who is also an attorney here on behalf of Mr. Wheeldin.

If I may be permitted to do so——

The CHAIRMAN. On behalf of whom?

Mr. TAVENNER. The name is Don Wheeldin, W-h-e-e-l-d-i-n.

Mr. MILLER. If I may be permitted, I would like to make a statement.

Mr. TAVENNER. May I ask a question first?

Mr. MILLER. Yes.

The CHAIRMAN. Where is the witness?

Mr. MILLER. If I may make a statement, I will explain as best I can where the witness is.

The CHAIRMAN. The witness was subpoenaed and he is not here?

Mr. MILLER. That is the fact of the matter, sir.

The CHAIRMAN. Is not that the end of it, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. All right. Call another witness.

Mr. MILLER. I take it by that you would not permit me to make an explanation of his absence?

The CHAIRMAN. Your sole function in matters of this sort is to advise your client as to his rights under the Constitution of the United States, not to advise us.

Mr. MILLER. I understand that.

The CHAIRMAN. Call your next witness.

Mr. TAVENNER. Mrs. Newman.

The CHAIRMAN. Will you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. NEWMAN. I do.

TESTIMONY OF MARY LOIS NEWMAN, ACCOMPANIED BY COUNSEL, DAN MARSHALL

Mr. TAVENNER. Will you state your name, please?

Mrs. NEWMAN. Mary Lois Newman.

Mr. TAVENNER. Let the record show the witness is accompanied by Mr. Dan Marshall, counsel, from the city of Los Angeles.

Mr. MARSHALL. Mr. Tavenner and this committee, this witness intends——

The CHAIRMAN. Mr. Marshall, we have not asked her any questions.

Mr. MARSHALL. One question.

The CHAIRMAN. We will ask her the questions and then you can advise her, but we do not permit statements, as you well know.

Mr. MARSHALL. There is a question pending. May I have it again?

Mr. TAVENNER. What is your address?

(Counsel confers with his client.)

The CHAIRMAN. Do you need legal advice as to where you live?

(Counsel confers with his client.)

Mrs. NEWMAN. I am going to decline to answer under my constitutional privileges of the first amendment and fifth amendment.

Mr. MARSHALL. Mr. Tavenner, the witness has not finished.

(Counsel confers with his client.)

The CHAIRMAN. What is it you are reading?

Mrs. NEWMAN. A memorandum.

The CHAIRMAN. I think the record should show that counsel handed a piece of paper to the witness from which she is reading.

Mrs. NEWMAN. Yes.

The CHAIRMAN. From what are you reading?

Mrs. NEWMAN. A memorandum.

The CHAIRMAN. All right.

Mrs. NEWMAN. I will decline to answer on the 1st amendment, the Bill of Rights, the 4th amendment of the Bill of Rights, the 6th amendment of the Bill of Rights, the 9th amendment of the Bill of Rights, and the 10th amendment of the Bill of Rights, and that it lacks pertinency.

The CHAIRMAN. You are declining to answer for the reasons given to the question as to your address?

(Counsel confers with his client.)

Mrs. NEWMAN. Yes, sir.

Mr. TAVENNER. Do you live at 215 Sandalwood Avenue, La Puente, Calif.?

Mrs. NEWMAN. I will decline to answer on the same grounds.

Mr. TAVENNER. What is your occupation?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Are you a housewife and seamstress?

Mrs. NEWMAN. Same answer.

Mr. MARSHALL. Mr. Walter, will it be understood that—

The CHAIRMAN. By "the same answer," you mean the answers she read from the piece of paper that you handed her when she was asked the first question?

Mr. MARSHALL. That is, she will be deemed to have declined to answer upon all the grounds stated.

The CHAIRMAN. That is right.

Mr. MARSHALL. In her refusal to answer the first question.

The CHAIRMAN. That is right.

Mr. TAVENNER. Was your maiden name Mary Lois Brahm?

Mrs. NEWMAN. I decline to answer on the same grounds that I previously stated.

Mr. TAVENNER. Was the date of your birth April 17, 1918, in Indiana?

Mrs. NEWMAN. I decline to answer on the same grounds as stated before.

Mr. TAVENNER. Are you currently a member of the Communist Party of Los Angeles County?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. According to committee information, you were a member of the Communist Party as far back as 1943 in this area. Is that true, or is it false?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Have you recently resigned from the Communist Party?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. According to information in possession of the committee, you signed a letter dated December 14, 1957, as one of the 22 individuals, addressed to the National Committee of the Communist Party of the United States, which was in the form of a letter of grievances.

Our principal purpose in calling you here is to ask you the circumstances under which you signed this letter.

(Counsel confers with his client.)

Mr. MARSHALL. May we have a copy of the letter that you referred to?

The CHAIRMAN. After she answers the question we will be very happy to furnish her with the letter.

Mr. TAVENNER. My question is: Did you sign such a letter?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Were you a member of the San Gabriel Section of the Communist Party on December 14, 1957?

(Counsel confers with his client.)

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. You are the wife of Mr. Morton Newman; are you not?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Mr. Morton Newman also signed this letter or is purported to have signed this letter of December 14, 1957, and also is purported to have resigned from the Communist Party under date of March 26, 1958.

Mr. MARSHALL. Could the entire question be reframed?

Mr. TAVENNER. Yes, if there is confusion about it.

The committee has information that Mr. Morton Newman signed the Los Angeles 22 letter of grievances bearing date December 14, 1957, and that he also signed a letter of resignation to the Communist Party bearing date of March 26, 1958, thus indicating his resignation from the party on the latter date.

Did you resign from the Communist Party on the 26th of March 1958?

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Were you at any time a functionary of the Communist Party?

(Counsel confers with his client.)

Mrs. NEWMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Were you directed by a Communist Party organization to work for the Communist Party in mass organizations, such as women's groups?

(Witness confers with her counsel.)

Mrs. NEWMAN. I will decline to answer on the same grounds.

Mr. TAVENNER. Or the Independent Progressive Party?

(Counsel confers with his client.)

Mrs. NEWMAN. I will decline to answer on the same grounds.

Mr. TAVENNER. Did you engage in activities in those organizations for the Communist Party?

Mrs. NEWMAN. I will decline to answer on the same grounds.

Mr. TAVENNER. I offer in evidence a copy of a petition to participate in the primary election of June 1, 1948, of the Independent Progressive Party of California to which there is appended an affidavit of Mrs. Mary Lois Newman, and ask that it be marked "Newman Exhibit No. 1."

The CHAIRMAN. Mark it and let it be made a part of the record.

(Document marked "Newman Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. I hand the witness the exhibit and ask if the signature appearing on the last page is her signature [document handed to witness and her counsel].

(Witness confers with her counsel.)

Mrs. NEWMAN. I will decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Are there any questions?

Mr. TUCK. No.

Mr. WIRIN. This time the witness whom I represent is here.

The CHAIRMAN. I notice.

Will you raise your right hand? Stand up, please.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ARKIN. I do.

**TESTIMONY OF DAVID FRANCIS ARKIN, ACCOMPANIED BY
COUNSEL, AL WIRIN**

Mr. TAVENNER. You are Mr. David Francis Arkin, A-r-k-i-n?

Mr. ARKIN. That is right, sir.

Mr. TAVENNER. It is noticed that the witness is accompanied by counsel, Mr. Al Wirin, of the Los Angeles Bar.

When and where were you born, Mr. Arkin?

Mr. ARKIN. I was born December 19, 1906, in New York City.

Mr. TAVENNER. What is your occupation?

Mr. ARKIN. At the present time I am unemployed.

Mr. TAVENNER. Previous to that, what was your occupation?

Mr. ARKIN. I was a designer, draftsman.

Mr. TAVENNER. Previous to that?

Mr. ARKIN. I was a teacher.

Mr. TAVENNER. Will you state briefly your formal educational training?

Mr. ARKIN. I had a bachelor's degree, a B.A., and roughly about 80 postgraduate credits in general fields of education.

The CHAIRMAN. Where?

Mr. ARKIN. That was at New York University.

Mr. TAVENNER. According to the committee's information, you were employed by the Los Angeles City Board of Education as a school-teacher from 1947 to approximately 1953, is that correct?

Mr. ARKIN. That is correct.

Mr. TAVENNER. When did you first come to California from New York City?

Mr. ARKIN. I imagine in 1945.

Mr. TAVENNER. What was the nature of your employment between 1945 and 1947?

Mr. ARKIN. During the war years I was a draftsman, and prior to that I was a teacher, a substitute teacher.

Mr. TAVENNER. What was the cause of the change of your employment from that of a schoolteacher to that of a draftsman?

Mr. ARKIN. It was twice that I changed from that of a school-teacher to that of a draftsman. The original cause, when I first was a substitute teacher I mentioned, the pay of a substitute teacher was roughly about half of that of a regular teacher, and when the war

came along, I quit teaching because of the low pay and became a draftsman.

Mr. TAVENNER. You said that was the first time?

Mr. ARKIN. That was the first time.

Mr. TAVENNER. What about the second time?

Mr. ARKIN. The second time I appeared before the Los Angeles Board of Education. I was called there under the terms of the Dilworth Act to answer questions relative to my political affiliations.

Mr. TAVENNER. By "political affiliations," do you refer to membership in the Communist Party?

Mr. ARKIN. They asked me questions as to membership in a political party.

Mr. TAVENNER. Will you answer my question, please, sir?

Mr. ARKIN. Yes, it was relative to that question.

Mr. TAVENNER. What was the result of that hearing?

Mr. ARKIN. The result was that I was discharged from my position because I refused to answer the queries of the Board of Education because I thought it an invasion of my constitutional rights.

Mr. TAVENNER. At that time, were you a member of the Communist Party?

Mr. ARKIN. I feel that questions of this character, as I stated before to the committee; and I am consistent, in that I feel they are an invasion of my rights as an American citizen under the Constitution and I feel that the Supreme Court has very clearly stated that I can be protected by the Constitution so as not to answer these questions.

I think the committee itself would agree with me if what I read in the press is correct that the Supreme Court has stated that the Constitution forbids that type of inquiry into one's political views. Consequently, I would like to refuse to answer that question on the grounds, first, of the 1st amendment which guarantees free speech, free assembly; secondly, on the ground of the 5th amendment; and third, on the ground of the 14th amendment, which I think also, protects me, because anything that protects one citizen of the United States in his rights, in his civil rights, also protects all citizens of the United States.

I feel that this amendment which protects their rights in questions of race also protects me in that same regard.

I also would like to say that I refuse to answer that question for the same reason as a teacher, that teachers down in the South refuse to answer whether they were members of the National Association of Colored People, because they were in a hostile political environment.

The CHAIRMAN. Do you refuse to answer the question?

Mr. ARKIN. I refuse to answer on certain grounds.

The CHAIRMAN. All right.

Mr. ARKIN. And I have not completed my grounds. It will be just another half a minute.

I do not intend to make a speech here, but I want to state my grounds clearly, and it is hard for me, not being a trained legal person, to state them clearly, but for your satisfaction and myself—then, also, I refuse to answer as to that letter because of the precept set down to me by another teacher whose opinion I value very, very highly.

Mr. TAVENNER. Is it not true—

The CHAIRMAN. Just a minute.

You decline to answer for those reasons?

Mr. ARKIN. I decline to answer for those reasons.

The CHAIRMAN. All right.

Mr. TAVENNER. Is it not true that you are at this time a member of the Highland Park Club of the Zapata Section of the Communist Party of the Southern District of the Communist Party of California?

Mr. ARKIN. Well, I believe that this question is similar in character to the other questions and I think the same reasons would hold. (Counsel confers with his client.)

The CHAIRMAN. By that I understand you to mean that you refuse to answer for the reasons given for not answering the last question?

Mr. ARKIN. Yes, because of constitutional grounds.

The CHAIRMAN. I just want the record to show that.

Mr. ARKIN. Yes, constitutional grounds.

Mr. TAVENNER. May I have direction that the witness answer the question?

The CHAIRMAN. Yes; you are directed to answer that question.

Mr. ARKIN. I refuse to answer that question for the same reasons mentioned on the same grounds.

Mr. TAVENNER. Did you at any time receive directions from a Communist Party unit to engage in Communist Party activities within various youth groups and panel meetings sponsored by the Communist Party?

Mr. ARKIN. Well, I refuse to answer on the same grounds because this is of the same character.

Mr. TAVENNER. Did you engage in such activities at the instance of the Communist Party?

Mr. ARKIN. Well, I refuse to answer on the same grounds.

I had not completed my grounds before, but also on the grounds, as I am advised by my counsel, that I do not believe this question is pertinent to the activities of the committee, to the nature of this hearing.

Mr. TAVENNER. Were you directed by the Communist Party to engage in Communist Party activities within the Independent Progressive Party?

Mr. ARKIN. Well, I had not completed the grounds on which I refuse to answer. I said that there was a teacher who advised me on this question by letter and I attached great weight to it at a previous time when questions of a similar character were asked.

He sent me a letter and I think it reinforces my convictions;

(Reading:)

As you well know, I have repeatedly expressed my opinions on all the present infringements on the private and political life of teachers and other citizens, and I am convinced that noncooperation in all investigations of that kind is justified and even a civic duty. I am convinced that if the present tempest is blown out the people will recognize the important service you and your colleagues have rendered to your community by your active courage and resistance.

Signed "Albert Einstein." This was dated sometime before he died.

The CHAIRMAN. Never mind. Answer the questions.

Mr. TAVENNER. Will you answer the question that I asked?

Mr. ARKIN. I refuse to answer on these grounds and on the grounds that I have stated.

MR. TAVENNER. Mr. Chairman, I offer in evidence a copy of a petition of the Independent Progressive Party of California to participate in the primary election of June 1, 1948, at the end of which is attached an affidavit of David F. Arkin, as one who circulated this petition. May it be admitted in evidence and marked "Arkin Exhibit No. 1"?

THE CHAIRMAN. We will mark it.

(Document marked "Arkin Exhibit No. 1" and retained in committee files.)

MR. TAVENNER. I hand you the document and ask you whether or not that is your signature to the affidavit on the last page?

MR. ARKIN. Well, I refuse to answer on the same grounds.

MR. TAVENNER. At the time that you were a teacher in the public school system of Los Angeles, did you engage in other teaching in the summer?

MR. ARKIN. In other teaching?

MR. TAVENNER. Yes.

MR. ARKIN. No; not in other teaching.

MR. TAVENNER. I have before me the summer session, 1946; catalog of the People's Educational Center, which on page 11 carries this headnote in black type:

American History, An Introduction. David F. Arkin, Instructor.

This is a study of the main periods in American history designed to develop a unified understanding of the social forces in the development of the United States. It will meet the needs both of previous students of history and those who have had no earlier study. The topics to be discussed here include the American colonists on the eve of the Revolution; the American Revolution and the War for Independence; organizing the Nation; the rise of Jeffersonian democracy; the defense of the Nation; Jacksonian democracy; slavery and the antislavery movements; the Civil War; reconstructing the Nation; America becomes industrialized; and America becomes a world power. Monday 7:00 to 8:30 P.M.

Did you conduct that course?

MR. ARKIN. No; I did not conduct the course and at the time—your question was, Was I teaching at the time? I was not teaching at that time. The course was never given. And consequently I did not conduct the course. At that time I was without employment. They offered me some job with an educational center.

MR. TAVENNER. You did have a job at the educational center?

MR. ARKIN. No; I did not have a job. They offered me some work as a course.

MR. TAVENNER. The People's Educational Center offered you—

MR. ARKIN. Some work. I was out of work at the time but I was not teaching at the time. You understand—

MR. TAVENNER. Nevertheless you were listed in the catalog for the summer session.

MR. ARKIN. Well—

MR. TAVENNER. As being prepared to give this course.

MR. ARKIN. I was listed, but your original question had been, When I was teaching, did I teach during the summer?

MR. TAVENNER. All right. You were listed in the catalog to give the course that I indicated.

MR. ARKIN. The catalog gives my name and it was listed but the course was never given.

Mr. TAVENNER. But you did not participate in the giving of this course?

Mr. ARKIN. No; I did not.

Mr. TAVENNER. Did you engage in any work for the People's Educational Center with or without pay?

Mr. ARKIN. I didn't participate there as an organized member. There was a prospectus given but I did not participate at this time.

Mr. TAVENNER. Did you at any other time?

Mr. ARKIN. No; not at any other time.

Mr. TAVENNER. Did you lend your services in any way to the People's Educational Center?

Mr. ARKIN. They wanted to organize the course. They were willing to pay a nominal sum for a course they knew that I had some experience teaching and they wanted to organize the course.

I at that time was unemployed and any chance to earn some money, to me, was a valuable chance. I agreed. The course was not given. There was a prospectus telling about the course but I was not employed. I never received any pay for it and the course was not promulgated.

Mr. TAVENNER. Yes, but you have not directly and specifically answered my question. Did you engage in any services of any character for the People's Educational Center, whether it was conducting a course, assisting in the conducting of a course, or anything? That is as broad as one can make it.

Mr. ARKIN. By services, do you mean paid services?

Mr. TAVENNER. No, I specifically said paid or unpaid.

Mr. ARKIN. Well, I prepared prospectuses for this particular course, let us say. I assisted in preparing what I thought would be a good course in American history. The course was never given.

Mr. TAVENNER. Did you perform any services other than the preparation of this prospectus?

Mr. ARKIN. No. I simply wanted to be as frank as possible with the committee insofar as questions were asked me which I didn't think were an invasion of my constitutional rights. At this particular time I felt, after the war, was interested in general progressive ideas involved around the Roosevelt movement. So I lent my services to that course.

Mr. TAVENNER. Was the summer session of that school conducted at all?

Mr. ARKIN. That I don't know, because I wasn't very greatly involved with that school because I was rather new to the city. I had come to the city rather early and I was looking for work in California as a draftsman and something came along in the interim and I thought that that might be a possibility there. But it wasn't. It didn't turn out to be a possibility for work.

Mr. TAVENNER. It was cited as a Communist and subversive organization by the then Attorney General, Tom Clark, in a letter released on June 1, 1948. Were you connected in any way with that organization after June 1, 1948?

Mr. ARKIN. I doubt it. I really doubt it. I came to California, I think it was 1946. I doubt it.

Mr. TAVENNER. Are you aware of the writing of a letter of grievances to the National Committee of the Communist Party by members of the Communist Party of Southern California, in December 1957? (Witness confers with his counsel.)

Mr. ARKIN. I refuse to answer that question on the same constitutional grounds.

Mr. TAVENNER. Were you solicited to be one of the signers of that letter?

Mr. ARKIN. I refuse to answer the question.

Mr. TAVENNER. The letter was followed by a reply made by Dorothy Ray Healey at a district council meeting, and then by a letter of resignation signed by quite a number of the Communist Party members of southern California under date of March 26, 1958. Were you solicited to join in that letter of resignation?

Mr. ARKIN. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party on March 26, 1958?

Mr. ARKIN. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. ARKIN. I refuse to answer on the same grounds, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. TUCK. I have no questions.

The CHAIRMAN. Will you stand and raise your right hand?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CREED. I do.

TESTIMONY OF THOMAS D. CREED, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. What is your name, please, sir?

Mr. CREED. Thomas D. Creed.

Mr. TAVENNER. Will you spell your last name?

Mr. CREED. C-r-e-e-d.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MARGOLIS. Ben Margolis, 112 West 9th Street, Los Angeles, Calif.

Mr. TAVENNER. When and where were you born, Mr. Creed?

Mr. CREED. I was born in Muscle Shoals, Ala., April 15, 1919.

Mr. TAVENNER. What is your occupation?

Mr. CREED. I am a stock chaser.

Mr. TAVENNER. A what?

Mr. CREED. Stock chaser.

Mr. TAVENNER. What industry?

Mr. CREED. The automobile industry.

Mr. TAVENNER. What is a stock chaser?

Mr. CREED. I belong with a group of other men in that line of work. We provide material to the assembly line so that it can operate.

Mr. TAVENNER. What is your residence?

Mr. CREED. 1436 West 48th Street, Los Angeles, Calif.

Mr. TAVENNER. Are you presently a member of the Communist Party?

Mr. CREED. I am going to refuse to answer that question.

The CHAIRMAN. Do you refuse to answer?

Mr. CREED. I do refuse to answer that question.

The CHAIRMAN. The record has to show that you refuse to answer.

Mr. TAVENNER. Is it not a fact that you are currently a member of the executive board of the Southern California District Council of the Communist Party?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. The committee has information that this executive board is composed of 10 persons of which Dorothy Ray Healey is the chairman, and I am referring to the executive board of the district council. Will you state whether or not Horace V. Alexander is one of the members of that board?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. Is Ben Dobbs a member?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. Is James Forest a member?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. Is Bernard Lusher a member?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. Is Charlene Mitchell a member?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. Is Nemmy Sparks a member?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. Are you at the present time a member of the District Labor Commission of the Communist Party of the Southern District of California?

Mr. CREED. I refuse to answer that question.

Mr. TAVENNER. May I have a direction that the witness answer that question?

The CHAIRMAN. You are directed to answer.

Mr. MARGOLIS. Did the witness state the grounds for his refusal?

The CHAIRMAN. No.

Mr. TAVENNER. If he says for the reasons heretofore given—

Mr. MARGOLIS. I wondered if he hadn't given any reasons.

Mr. CREED. I hadn't been directed to answer the question until the present time. I am refusing to answer the question under direction for the following reasons: I don't think that any questions you might ask me about any people with whom I might associate or any organizations to which I might belong are pertinent to any field of legislation of which this committee is empowered to make an investigation. I think that such questions are an invasion of my rights under the first amendment guaranteeing me freedom of speech, assembly, and association of people of my own choosing, and lastly, on refusing to answer, I am invoking my rights under the fifth amendment protecting me against possible self-incrimination.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer.

Mr. CREED. I refuse to answer the question on the grounds stated.

Mr. TAVENNER. I hand you a document entitled "Trade Union Resolution, Southern California District Convention, parts I and II." Will you examine it, please, and state whether or not you can identify it as a document of the Communist Party for the Southern District of California?

Mr. CREED. I refuse to identify the document on the grounds previously stated.

Mr. TAVENNER. This document shows on its face that it deals with the national draft trade union resolution, and that it was adopted by the trade union subcommittee of the resolutions committee of the Southern California District Convention.

Will you tell the committee, please, who composed the trade union subcommittee of the resolutions committee?

Mr. CREED. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. As indicated, the committee has information that you were a member of the District Labor Commission of the Communist Party. Is that true?

Mr. CREED. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Is not Bernard Lusher the head of that commission?

Mr. CREED. I refuse to answer that question on the grounds stated.

Mr. TAVENNER. The committee has information that you have been active for the Communist Party for a number of years in the trade union area. Is that correct?

Mr. CREED. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you not a delegate to the Southern California District Convention of the Communist Party held on April 13 and 14, 1957?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. Did you not represent the labor section of the Communist Party at that convention?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. While in attendance at that convention, did you hear the address of Dorothy Healey in which she outlined the program of the Communist Party in the labor field?

Mr. CREED. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you aware of the present plan for Communist Party activities within the field of labor in the Southern District of California?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. Have you participated in any activity of the Communist Party in support of the Foster group of the Communist Party as distinguished from the so-called revisionists?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. You are aware of the fact, are you not, that at a meeting of the district council on the 27th of July 1958, a motion was made, although tabled, to oust Dorothy Ray Healey from leadership in the Communist Party in Southern California? You are aware of that; are you not?

Mr. CREED. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you supporting her in her activities in the Communist Party or are you opposing her?

Mr. CREED. I am refusing to answer the question on the grounds stated.

Mr. TAVENNER. Are you now a member of the United Auto and Aircraft Workers Union?

Mr. CREED. I stated earlier I wasn't going to answer any questions concerning any organizations to which I am a member. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer.

Mr. CREED. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Is action being taken because of the fact that you were discharged from Chrysler Local 230 as a member, or I should say suspended instead of discharged?

Mr. CREED. I didn't understand your question.

Mr. TAVENNER. Are you taking the position that you will not answer questions regarding your union because you were at one time, in 1952, discharged from membership in Chrysler Local 230 for conduct unbecoming a union member?

(Witness confers with his counsel.)

Mr. CREED. You have been making a lot of statements which make assumptions. I don't necessarily accept your assumptions but I am refusing to answer the questions for the grounds stated.

Mr. TAVENNER. Since you refer to it as being an assumption, let me introduce in evidence a thermofax copy of an article from the February 13, 1952, issue of the People's World referring to the charges that had been made against you by your union, and ask that it be marked "Creed Exhibit No. 1."

The CHAIRMAN. It may be made a part of the record.

(Document marked "Creed Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Were you not fined \$100 and given a year's suspension?

Mr. CREED. I refuse to answer that question. I do so on the grounds previously stated.

Mr. TAVENNER. At a subsequent date did not the international executive board of the CIO, United Auto and Aircraft Workers, reverse the decision and restore you to employment; isn't that correct?

Mr. CREED. I refuse to answer that question on the grounds previously stated. You know all this.

The CHAIRMAN. What do you mean he knows it?

Mr. CREED. You claim to know it.

Mr. TAVENNER. Then you admit that it is correct?

Mr. CREED. I am not admitting anything.

Mr. TAVENNER. Let us come then to this question. Was it known to the international executive board, United Auto and Aircraft Workers, at the time of the reversal, that you were a member of the Communist Party?

Mr. CREED. I refuse to answer that question on the previous grounds.

Mr. TAVENNER. Your membership in the Communist Party was the subject, the real motivating subject, of your suspension; was it not?

Mr. CREED. I refuse to answer that question on previous grounds.

Mr. TAVENNER. You were during that period a member of the Communist Party?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. Do you have a record of service in the Armed Forces?

Mr. CREED. I was in the United States Navy for 22 months.

Mr. TAVENNER. When and where were you discharged?

Mr. CREED. February 16, 1946.

Mr. TAVENNER. It was an honorable discharge; was it not?

Mr. CREED. Yes, sir.

Mr. TAVENNER. After your discharge, did you become a member of the American Veterans Committee?

Mr. CREED. I refuse to answer that question on the grounds previously stated. I have already said I wouldn't answer any questions concerning any organizations of which I am a member or may have been a member.

Mr. TAVENNER. Were you a member in 1951 of the Haywood Section of the Communist Party?

Mr. CREED. I refuse to answer that question on previously stated grounds.

Mr. TAVENNER. Were you directed by any Communist Party unit to take part in the work of various organizations for the benefit of the Communist Party, for instance, the Negro Labor Council?

Mr. CREED. I refuse to answer that question on previous grounds.

Mr. TAVENNER. Didn't you become chairman of the publicity committee of the Negro Labor Council of Los Angeles?

Mr. CREED. I refuse to answer that question on previously stated grounds.

Mr. TAVENNER. Were you not sent as a delegate of that council to the national convention held in Cleveland, Ohio, in 1952?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. Were you a delegate to the Los Angeles County Convention of the Communist Party held January 5 and 6, 1957?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. Were you not also a delegate to the California District Convention held on April 13 and 14, 1957, which was the organizational meeting of the new district?

Mr. CREED. I refuse to answer that question for the same reasons.

Mr. TAVENNER. That is all, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. TUCK. No questions.

Mr. CREED. I am excused?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. We will take a brief recess.

(Members present: Representatives Walter and Tuck.)

(Short recess.)

(Members present: Representatives Walter and Tuck.)

The CHAIRMAN. Will you stand please, and raise your right hand.

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALEXANDER. I do.

TESTIMONY OF HORACE V. ALEXANDER, ACCOMPANIED BY
COUNSEL, DAN MARSHALL

Mr. TAVENNER. State your name, please, sir.

Mr. ALEXANDER. My name is Horace V. Alexander.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Dan Marshall, member of the Los Angeles Bar.

When and where were you born, Mr. Alexander?

(Witness confers with his counsel.)

Mr. ALEXANDER. Mr. Chairman, I decline to answer this question on the following grounds:

The 1st amendment of the Bill of Rights, the 4th amendment of the Bill of Rights, the 5th amendment of the Bill of Rights, the 6th amendment of the Bill of Rights, the 9th amendment of the Bill of Rights, the 10th amendment of the Bill of Rights; and further, Mr. Chairman, this question lacks pertinency. This committee has not given me or made available any knowledge which conceivably could make this inquiry and this question pertinent to that degree of explicitness and authority required by the due process clause. The power of this committee is not unlimited, sir. It has no general authority to expose the private affairs of individuals simply for the sake of exposure.

This investigation is unrelated to any legislative purpose, being beyond the powers conferred upon the Congress under the Constitution.

This committee has not made it appear with undisputable clarity the subject matter of this inquiry.

It is the duty of this committee on my present question on the grounds of pertinency to state for the record the subject of inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful, must define what the topic of the inquiry is, and the reason why the question now asked me relates to it.

The CHAIRMAN. You have been merely asked your name. I direct you to answer the question.

Mr. MARSHALL. I am sorry, Mr. Chairman, I couldn't quite hear what you said.

Mr. TAVENNER. It was the place of birth.

The CHAIRMAN. He was asked the place of birth. Where were you born?

Mr. ALEXANDER. I decline to answer the question, sir, on the grounds previously stated.

Mr. TAVENNER. Was the date of your birth May 17, 1924, and the city in Texas?

Mr. ALEXANDER. I decline to answer that question, sir, on previous grounds.

Mr. TAVENNER. What is your address?

Mr. ALEXANDER. I would decline to answer that question, sir, on the grounds stated.

Mr. MARSHALL. Mr. Chairman, will it be understood that the witness by declining to answer upon the grounds previously stated will be deemed to have incorporated in that objection all the grounds separately stated by him?

The CHAIRMAN: Yes, it will be understood that when he objects and states "on the grounds stated," it will include all of the grounds.

Mr. TAVENNER: Is your correct address 736 East 74th Street, Los Angeles, Calif.?

Mr. ALEXANDER: I decline to answer that question sir, on the same grounds.

Mr. TAVENNER: Are you a machine shop foreman by occupation?

Mr. ALEXANDER: I decline to answer that question on previous grounds.

Mr. TAVENNER: Did you serve in the Armed Forces of the United States?

Mr. ALEXANDER: I would decline to answer that question, sir, on the grounds stated above.

Mr. TAVENNER: Were you directed by any unit of the Communist Party to take part in any movement for the formation of the Independent Progressive Party?

Mr. ALEXANDER: I would decline to answer that question, sir, on the grounds stated before.

Mr. TAVENNER: I offer in evidence a thermofax copy of an excerpt from the January 26, 1948, issue of People's World and ask that it be marked "Alexander Exhibit No. 1."

The CHAIRMAN: It may be marked.

(Document marked "Alexander Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER: This article identifies the witness as participating in the march sponsored by the youth committee of the Independent Progressive Party in opposition to universal military training.

Did you engage in such an activity?

Mr. MARSHALL: Could we see the exhibit, Mr. Tavenner?

Mr. TAVENNER: Yes.

(Exhibit handed to the witness.)

Mr. ALEXANDER: I would decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER: I offer in evidence a thermofax copy of an excerpt from the April 20, 1948, issue of the People's World, entitled "2,000 at Wallace Forum" and ask that it be marked "Alexander Exhibit No. 2." This issue identifies the witness with the National Association for the Advancement of Colored People and also as a member of the Students For Wallace.

(Document marked "Alexander Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER: Will you state, Mr. Witness; whether or not on April 20, 1948; you were a member of the Communist Party?

Mr. ALEXANDER: I decline to answer that question, sir, on the same grounds stated before.

Mr. TAVENNER: I offer in evidence a thermofax copy of an excerpt from the July 27, 1948, issue of the People's World, and ask that it be marked "Alexander Exhibit No. 3."

(Document marked "Alexander Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER: This article identifies the witness as State vice chairman of Students For Wallace.

Mr. Witness; were you on the 27th day of July 1948 a member of the Communist Party?

Mr. ALEXANDER. I decline to answer that question on the grounds previously stated, sir.

Mr. TAVENNER. May the exhibits be received in evidence?

The CHAIRMAN. They will be marked and received in the record.

Mr. TAVENNER. I desire to offer into evidence a thermofax copy of the March 30, 1954, issue of People's World and ask that it be marked "Alexander Exhibit No. 4."

This document identifies the witness as a candidate for secretary of state on the Independent Progressive Party ticket.

Were you a candidate for such an office in 1954?

Mr. ALEXANDER. I decline to answer the question on the grounds stated.

(Document marked "Alexander Exhibit No. 4," and retained in committee files.)

Mr. TAVENNER. Were you a member of the Communist Party on March 30, 1954?

Mr. ALEXANDER. I decline to answer that question, sir, on the previous grounds stated.

Mr. TAVENNER. May the exhibit be accepted in evidence?

The CHAIRMAN. Yes.

Mr. TAVENNER. I offer in evidence a photostatic copy of the appointment of members of the State Central Committee of the Independent Progressive Party in the year 1952 and ask that it be marked "Alexander Exhibit No. 5."

The CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Alexander Exhibit No. 5," and retained in committee files.)

Mr. TAVENNER. This record identifies the witness as a member and shows the appointment of him as a member of the I.P.P., Independent Progressive Party, State Central Committee, in the year 1952.

Did you occupy that position in the year 1952?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party—

Mr. ALEXANDER. I decline to answer the question, sir.

Mr. TAVENNER. Just a moment. On the 25th day of July 1952.

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. I offer in evidence an additional document, it being a photostatic copy of the appointment of members of the State Central Committee in the year 1954 which states that Horace V. Alexander, duly qualified as a delegate to the State convention by virtue of his nomination to the office of secretary of state upon the Independent Progressive ticket, appoints the following three voters who will be members of the State Central Committee to meet on August 8, 1954; those persons being Mrs. Charlotta A. Bass, Reuben W. Borough, and Mrs. Ida Alvarez, and bears date the 30th day of July 1954, and ask that it be marked "Alexander Exhibit No. 6."

The CHAIRMAN. It will be marked and received.

(Document marked "Alexander Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. Mr. Witness, will you examine the document, please, and state whether or not the signature appearing thereon is your genuine signature?

Mr. ALEXANDER. I decline to answer that question, sir, on grounds previously stated.

The CHAIRMAN. What is the secretary of state? Let me see that, Mr. TAVENNER, please.

Mr. TAVENNER. I think he was a candidate for the secretary of state on the Independent Progressive ticket.

The CHAIRMAN. Secretary of state of what?

Mr. TAVENNER. California.

I offer in evidence a thermofax copy of an excerpt from the November 25, 1949, issue of People's World, entitled, "NAACP Youth Rejects Old Fashioned Advice," and ask that it be marked "Alexander Exhibit No. 7."

The CHAIRMAN. It may be so marked.

(Document marked "Alexander Exhibit No. 7," and retained in the committee files.)

The CHAIRMAN. This article discloses that Mr. Alexander was elected as national vice president of the youth council of the NAACP.

Were you a member of the Communist Party, Mr. Witness, on November 25, 1949?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. Did you serve as national vice president of the youth council of the NAACP?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. The March 22, 1955, issue of the People's World, at page 5, carries an article which is reprinted in Communist Political Subversion, Part 2, of a committee hearing. According to this article, Mr. Alexander participated in and spoke before the 5th Annual Conference of the Los Angeles Committee for Protection of Foreign Born.

Do you recall the occasion of having appeared as a speaker before that group?

Mr. ALEXANDER. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you directed to appear before that group or counseled in any way to do so by a unit of the Communist Party or any functionary of the Communist Party?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. Are you familiar with an organization which called itself the Emergency Free Press Committee?

Mr. ALEXANDER. I decline to answer that question on all the grounds stated before, sir.

Mr. TAVENNER. I present you with a photostatic copy of a letter bearing date of November 1956 addressed to "Dear Friend," and bearing the signature of a number of persons including yourself, and attached to which you will find an appeal or a solicitation for funds to be paid to Horace Alexander, trustee.

Will you examine it, please, and state whether or not you were one of those who signed the letter?

(Document handed to the witness and his counsel.)

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Alexander Exhibit No. 8."

The CHAIRMAN. It will be so marked.

(Document marked "Alexander Exhibit No. 8," and retained in committee files.)

Mr. TAVENNER. Was not the Emergency Free Press Committee an organization set up for a brief period of time for the specific purpose of raising money for the Daily People's World?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in November 1956?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. What position do you hold in the Communist Party now?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds stated before.

Mr. TAVENNER. The committee has information disclosing that you are a member at this time of the executive board of the Southern California District Council of the Communist Party. Is this not a fact?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. Is it not true that the executive board to which I have referred is a committee of the Southern California District Council, which council is composed of 62 individuals from southern California?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds stated before.

Mr. TAVENNER. Is it not a fact that this executive board is the controlling body of the Communist Party of the Southern District of California?

Mr. ALEXANDER. I decline to answer the question, sir, on the grounds stated before.

Mr. TAVENNER. Is it not also true that the executive board has 10 members?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds stated previously.

Mr. TAVENNER. Rather I should say only nine members, since Don Wheeldin resigned on the 26th day of March 1958. Correct?

Mr. ALEXANDER. Are you asking me a question, sir?

Mr. TAVENNER. Yes.

Mr. ALEXANDER. I decline to answer the question on the grounds stated previously.

Mr. TAVENNER. Will you give us the names of the members of the executive board?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds previously stated.

Mr. TAVENNER. Will you tell the committee, please, whether or not there is a convention of the Southern District of California of the Communist Party scheduled to be held in October of this year, at which time William Taylor is slated to fill the 10th spot on the

executive board which has been made vacant by the resignation of Don Wheeldin?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds stated previously.

Mr. TAVENNER. Which side are you on in the division in the local Communist Party, the Healey side or the Pettis Perry side?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds stated before.

Mr. TAVENNER. Were you present on the 27th day of July 1958, at which time a motion was made to oust Dorothy Healey as chairman of the Communist Party of this district?

Mr. ALEXANDER. I decline to answer that question, sir, on the grounds stated before.

Mr. TAVENNER. That is all, Mr. Chairman.

The CHAIRMAN. Any other witnesses?

Mr. TAVENNER. No, sir.

The CHAIRMAN. We will recess until what time, 9:30?

Mr. WHEELER. 9:30 will be fine.

(Whereupon, at 4:20 p.m., Tuesday, September 2, the committee recessed, to reconvene at 9:30 a.m., Wednesday, September 3, 1958.)

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

WEDNESDAY, SEPTEMBER 3, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:30 a.m., in room 229, Federal Building, Los Angeles, Calif., Hon. Francis E. Walter (chairman) presiding. Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Morgan M. Moulder, of Missouri.

Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

The CHAIRMAN. Will you raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRIGGS. I do.

TESTIMONY OF CYRIL VALENTINE BRIGGS, ACCOMPANIED BY COUNSEL, BEN MARGOLIS AND FRANK MUNOZ

Mr. TAVENNER. Just be seated. Will you state your name, please?

Mr. BRIGGS. Cyril Briggs.

Mr. TAVENNER. Do you have a middle name?

Mr. BRIGGS. Valentine.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MARGOLIS. Ben Margolis and Frank Munoz, both of 112 West 9th Street, Los Angeles, Calif.

Mr. TAVENNER. What is your address, Mr. Briggs?

Mr. BRIGGS. Is that pertinent to the inquiry?

Mr. TAVENNER. Yes, it is necessary for us to properly identify you.

Mr. BRIGGS. Well, considering that I have spent my life fighting Jim Crow segregation, I would willingly concede that I am, no doubt, the Cyril Briggs that this committee has in mind.

Mr. TAVENNER. Will you answer the question?

The CHAIRMAN. What is your answer?

Mr. BRIGGS. Well, I have no objections: 2517 Fairmont Street.

¹ Released by the committee and ordered to be printed.

Mr. TAVENNER. Will you please state the date and place of your birth?

Mr. BRIGGS. Nevis, British West Indies, May 28, 1888.

Mr. TAVENNER. When did you come to the United States?

Mr. BRIGGS. July 4, 1905.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. BRIGGS. I am an American by choice, naturalized, yes.

Mr. TAVENNER. When and where were you naturalized?

Mr. BRIGGS. New York City, in 1916.

Mr. TAVENNER. What is your occupation?

Mr. BRIGGS. Publicity.

Mr. TAVENNER. How long have you been engaged in that occupation?

Mr. BRIGGS. Since 1912, when I joined the staff of the New York Amsterdam News.

Mr. TAVENNER. Will you state briefly your formal educational training?

Mr. BRIGGS. Well, grade school and grammar school in the West Indies.

Mr. MOULDER. May I inquire, Mr. Chairman, is that a foreign-language newspaper?

Mr. TAVENNER. I will ask him the question.

Is the paper to which you referred a foreign-language newspaper?

Mr. BRIGGS. No; it is a Negro paper and as native—

Mr. TAVENNER. When did you come to California?

Mr. BRIGGS. In 1944.

Mr. TAVENNER. What has been your employment record in California since that date?

Mr. BRIGGS. I work on the newspaper now, twice a month publication, and on the California Eagle as managing editor, and I have worked in construction also.

Mr. TAVENNER. Were you a delegate to the Southern California District convention of the Communist Party held April 13 and 14, 1957?

Mr. BRIGGS. I don't see what pertinence that question has to me. In any event, I refuse to answer it on the ground of the first and fifth amendments.

Mr. TAVENNER. Are you at this time a member of the Juarez Club of the Communist Party of the Southern California District of the Communist Party?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. As a matter of fact, weren't you the educational director of this club as late as 1956?

Mr. BRIGGS. Same answer.

The CHAIRMAN. When you say "same answer," I understand you to mean that you decline to answer on the grounds stated.

Mr. BRIGGS. Not only that I decline, I refuse to answer it on the grounds of the first and fifth amendments.

The CHAIRMAN. All right.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of the September 9, 1956, issue of The Worker and ask that it be marked "Briggs Exhibit No. 1."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Briggs Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Mr. Witness, I hand you this exhibit and ask you to state whether or not you see at the end of it the name of the author of the article appearing under the title "The American Road to Socialism."

Mr. MARGOLIS. Is the question whether he can read the name "Cyril Briggs" there?

Mr. TAVENNER. Read the question.

Mr. BRIGGS. I can read the name, yes.

Mr. TAVENNER. Will you read it?

Mr. BRIGGS. It says here "Cyril Briggs," yes.

Mr. TAVENNER. And what else?

Mr. BRIGGS. "Educational Director," yes.

Mr. TAVENNER. Of what?

Mr. BRIGGS. I assume of the—

(Counsel conferred with witness.)

Mr. BRIGGS. I refuse to answer that on the same grounds.

Mr. TAVENNER. Just keep that a moment.

You have stated that the article bears the name of Cyril Briggs, educational director. Now didn't you leave off part of the description of the title of the individual? Will you look at it again and complete the statement which you started?

Mr. MARGOLIS. There is nothing that appears on here except educational director.

Mr. TAVENNER. Will you read what is immediately above the name of Cyril Briggs?

Mr. BRIGGS. I have already told you I could read it and I would suggest that you read it for yourself.

Mr. TAVENNER. Well, if you can read it, what is the rest of the signature to the article? You have read your name and you have read educational director. Does not the description of the organization of which you are the education director also appear?

Mr. BRIGGS. I assume that you have seen it, that you can read it, and I refuse to answer that question on the same grounds as previously stated.

Mr. TAVENNER. Did you compose and write the article appearing there?

Mr. BRIGGS. I refuse to answer that on the same grounds as stated.

The CHAIRMAN. Mr. Briggs, this is signed "Juarez Club, Los Angeles, Calif., Cyril Briggs, Educational Director." Are you the Cyril Briggs whose name appears on this article?

Mr. BRIGGS. I refuse to answer that on the same grounds as stated.

Mr. TAVENNER. A subtitle to the article appearing in this exhibit is "Welcome to Inner-Party Democracy." Reference is then made in the first paragraph to an expression of "confidence in our national leadership" and commends that leadership for its "wise policy of leaving wide open all questions of program and policy pending the fullest and freest preconvention discussion. This, to us, is a welcome concrete expression of that inner-party democracy to which most of our leading cadres, including the national, have much too often in the past given only lip-service."

As a matter of fact, Mr. Briggs, did not the chairman of the district organization of California—organization of the Communist Party—

contend and report at a meeting of that body that there was no inner-party democracy in the Communist Party at this time?

Mr. BRIGGS. I want to say this, that I resent being interrogated by a committee whose members include out-and-out white supremacists and people who have been inciting to insurrection in the South against the Supreme Court's integration mandate, and moreover a committee that during its 20 years has never once investigated the Ku Klux Klan.

The CHAIRMAN. Let me interrupt at this point. That is not true. This committee asked the Ku Klux Klan for its first membership and they complied with the request, as I understand it. That is far more than the Communists would ever do.

Mr. BRIGGS. Has this committee ever investigated the Southern White Citizens Committee?

The CHAIRMAN. That is not dominated by Russia, and your organization is. That is the difference. Proceed, Mr. Tavenner.

Mr. TAVENNER. Will you answer the question?

Mr. BRIGGS. I want to say this, then, that I will have to assume then that in this committee's opinion lynching Negroes and spitting on little Negro children is—

Mr. TAVENNER. You are evading the question.

The CHAIRMAN. Just a minute, Mr. Tavenner. I want to get the record straight. This sort of thing resorted to by Communists hurts the cause that they say they espouse, because they are not sincere in the efforts to improve the conditions of the colored people in this country.

Mr. BRIGGS. I don't know what Communists or communism have to do with my position, because this has been my position since 1912 before there was, as I understand it, a Communist Party in the United States. It will continue to be my position despite any attempt by this committee to intimidate me.

As to what the Communist Party is doing, I understand that in one of the hearings of this committee and today, also, by the last speaker, it is said that the Communist Party is exploiting the Negro people.

I think, gentlemen, that the Negroes would be very glad to accept such exploitation at the hands of the Republicans.

The CHAIRMAN. You hope that they would be?

Mr. BRIGGS. I know that they would be very glad to accept any exploitation that defends their interests.

Mr. TAVENNER. Now after having made this voluntary speech at great length, will you return to the question and answer?

Mr. BRIGGS. Which I refuse to answer on the same grounds as previously stated.

Mr. TAVENNER. In this article it is stated, "The Juarez Club hails this democratic approach to the * * * fundamental problems confronting our party." Did you make that statement?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. The article then proceeds to state that the Juarez Club, recognizing the responsibility that it has upon it, objects to "bureaucratic centralism." What did you mean by "bureaucratic centralism?"

Mr. BRIGGS. Same answer.

Mr. MOULDER. May I ask a question, Mr. Briggs?

Mr. BRIGGS. If you please.

Mr. MOULDER. Have you ever read the article?

Mr. BRIGGS. I object to you calling me Briggs.

The CHAIRMAN. He called you Mister.

Mr. BRIGGS. My mistake, I am sorry. To that question I give the same answer.

Mr. TAVENNER. You wrote the article, didn't you?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Does this statement not contain the assertion that the Juarez Club—

Mr. BRIGGS. Pardon me?

Mr. TAVENNER. Does not this article state that the Juarez Club "takes this opportunity to express its adamant opposition to any and all ideas and proposals aimed at the liquidation of the Communist Party"?

Mr. BRIGGS. I am willing to accept your statement.

Mr. TAVENNER. And did you, through your club, endeavor to support the Foster group in the Communist Party in its opposition to any effort to liquidate it?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Does not this article also state that "Our members are similarly opposed with one exception, to any change of name for our party"?

Mr. BRIGGS. If you say so. I presume it does.

Mr. TAVENNER. Did you make that contention through this article?

Mr. BRIGGS. Same answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Who is the one person, a member of the Juarez Club, who was in favor of changing the name of the Communist Party?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. It is noted that considerable emphasis in this article is placed upon an appeal to the membership to "pry ourselves loose from the Wailing Wall and conscientiously and vigorously carry forward the necessary task of reappraisal and the wiping out of bureaucracy, sectarianism, doctrinarism—and right opportunism as well."

Did you use the term "Wailing Wall" in the sense that the Communist Party felt that it was not enthusiastic in its work?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. That it was losing time in discussing and complaining about previous mistakes instead of moving forward?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Was this article of yours republished in a publication entitled "The Party Forum" in its September 10, 1956, issue?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. I desire to introduce in evidence a copy of that issue of The Party Forum and ask that it be marked "Briggs Exhibit No. 2."

The CHAIRMAN. It will be so marked.

(Document marked "Briggs Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. Was not this a Communist intraparty publication?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Was not this paper organized for the purpose of giving an opportunity to members of the Communist Party to express their views prior to the Russian invasion of Hungary?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Is it now in existence?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. You know it is not?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Were you a delegate to the Los Angeles County Communist Party convention on January 5 and 6, 1957?

Mr. BRIGGS. Same answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you also a delegate to the Southern California District convention of the Communist Party held April 13 and 14, 1957?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Are you at this time assigned to the Zapata Section of the Communist Party, Southern District of California?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Have you, over a long period of time, contributed articles to various Communist Party organs in the country?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. I hand you an issue of the "Labor Defender" of May 1927, carrying an article entitled "Rally Labor for Passaic Strike Prisoners" by Cyril Briggs. Will you examine it, please, and state whether or not you prepared that article?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. I desire to offer this in evidence and ask that it be marked "Briggs Exhibit No. 3."

(Document marked "Briggs Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. I hand you a photostatic copy of the April 28, 1931, issue of the Daily Worker and call your attention to an article entitled "Mother of Haywood Patterson Appeals for United Effort To Save Lives of 9 Scottsboro Boy Victims," by Cyril Briggs, and ask whether or not you prepared the article appearing there—whether you wrote the article.

Mr. BRIGGS. Same answer.

Mr. TAVENNER. I offer the document in evidence and ask that it be marked "Briggs Exhibit No. 4."

The CHAIRMAN. It will be so marked.

(Document marked "Briggs Exhibit No. 4," and retained in committee files.)

Mr. TAVENNER. I hand you a copy of the June 1929 issue of "The Communist" carrying an article entitled "The Negro Question in the Southern Textile Strikes," by Cyril Briggs, and ask whether or not you prepared that article.

Mr. MARGOLIS. 1929?

Mr. TAVENNER. Doesn't it say that on the top?

Mr. MARGOLIS. I was wondering if you had anything earlier.

Mr. TAVENNER. We did give you something earlier, 1927.

Mr. BRIGGS. Same answer.

Mr. TAVENNER. It indicates that you have been in the propaganda business for some years.

I desire to offer the document in evidence and ask that it be marked "Briggs Exhibit No. 5."

The CHAIRMAN. It will be so marked.

(Document marked "Briggs Exhibit No. 5," and retained in committee files.)

Mr. BRIGGS. May I ask if you are aware that the propaganda business is what the first amendment protests, freedom of speech and thought?

Mr. TAVENNER. We didn't condemn you for that.

Mr. BRIGGS. I thank you.

Mr. TAVENNER. Did you have any underground assignment from the Communist Party in 1950?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. The committee has information that you attended a meeting on July 27, 1958 of the District Council of the Southern District of California which was also attended by various functionaries of the Communist Party, at which time Dorothy Healey made a minority report criticizing the leadership of the Communist Party and at which she, in turn, was charged with Titoism and even a resolution was presented to oust her from leadership in the Communist Party in this district. Which side of the argument did you take?

Mr. BRIGGS. Same answer.

Mr. TAVENNER. Are you at this time a member of the Communist Party?

Mr. BRIGGS. Same answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. I have one or two questions. Do you consider the Communist Party to be a political party in the sense that political parties are generally recognized in this country?

Mr. BRIGGS. I don't think that I am supposed to express my opinion here.

Mr. MOULDER. From any opportunity that you have had to observe or as a result of any of your experiences, could you give us that information—whether or not the people generally who are associated with the Communist Party do consider it a political party in the sense that other political parties are recognized in this country?

(Counsel confers with witness.)

Mr. BRIGGS. I am not going to discuss the Communist Party here at this time. If you want to discuss conspiracies, such as are occurring in the South against the Federal Government and courts, I would be glad to.

Mr. MOULDER. Do you have any knowledge of any conspiracy movement within the Communist Party concerning the Communist Party's plans to change our form of Government in this country?

Mr. BRIGGS. The only conspiracy I know of are those of which I mentioned, including those led by Governor Faubus, including conspiracies to prevent Negro children from getting an equal education.

Mr. MOULDER. I didn't ask you that question.

Mr. BRIGGS. And conspiracies that nullify and defy the Supreme Court's mandates.

Mr. MOULDER. I didn't ask you that question. I asked you if you had any knowledge of any such conspiracy within the Communist Party.

Mr. BRIGGS. I have answered that, that the only conspiracies I am aware of—

Mr. MOULDER. Then I interpret your answer to mean that you know of no such movement within the Communist Party.

Mr. BRIGGS. You can interpret it any way you wish to.

Mr. MOULDER. Do you know whether or not the Communist Party's philosophy and objectives are dominated and controlled by the Soviet Union? I just ask you whether or not you know.

Mr. BRIGGS. Again I have no opinion to express here on such questions.

The CHAIRMAN. That is all.

Mr. TAVENNER. Alexander Ende.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ENDE. I do.

TESTIMONY OF ALEXANDER ENDE, ACCOMPANIED BY COUNSEL,
BEN MARGOLIS AND FRANK MUNOZ

Mr. TAVENNER. Will you state your name, please, sir?

Mr. ENDE. Alexander Ende.

Mr. TAVENNER. How do you spell your last name?

Mr. ENDE. Ende, E-n-d-e.

Mr. TAVENNER. Will counsel accompanying the witness please identify yourselves for the record?

Mr. MARGOLIS. Ben Margolis and Frank Munoz.

Mr. TAVENNER. Where do you live, Mr. Ende?

Mr. ENDE. 10031 Roscoe Boulevard, Sun Valley.

Mr. TAVENNER. California?

Mr. ENDE. Yes.

Mr. TAVENNER. What is the date and place of your birth?

Mr. ENDE. August 19, 1916, Brooklyn, N.Y.

Mr. TAVENNER. What is your occupation?

Mr. ENDE. I am an electrician.

Mr. TAVENNER. Will you tell the committee briefly what your formal educational training has been?

Mr. ENDE. Public school, high school, several colleges in electrical wiring over the years, technical courses at different adult training centers, and so forth and so on.

Mr. TAVENNER. When did you come to California?

Mr. ENDE. 1947.

Mr. TAVENNER. What has been your record of employment in California since that date?

Mr. ENDE. I have worked as an electrician since that date.

Mr. TAVENNER. As an electrician, are you a member of the International Brotherhood of Electrical Workers?

Mr. ENDE. I must at this point decline to answer this question because I feel that my organizational associations and ties are not the

proper concern of this committee, and therefore I decline to answer on the grounds of protection afforded me under the fifth amendment and under the first amendment of the Constitution.

The CHAIRMAN. Keep your voice up a little bit.

Mr. TAVENNER. May I have a direction that the witness answer this question?

The CHAIRMAN. You are directed to answer the question.

Mr. ENDE. I must decline to answer this question because I feel that my organizational associations and ties are not the proper concern of this committee. I therefore decline to answer on the grounds that it is not pertinent and on the grounds of the protection afforded me under the fifth amendment of the Constitution and under the first amendment of the Constitution.

Mr. TAVENNER. I think probably the direction should be repeated.

The CHAIRMAN. Yes. You said you must decline. You are not under any compulsion. When you say that, I am assuming that you do decline.

Mr. ENDE. I wish to decline; I do decline, yes, sir.

The CHAIRMAN. All right.

Mr. TAVENNER. Have you held any office in the International Brotherhood of Electrical Workers?

Mr. ENDE. May I consult with my attorney for a while?

(Witness consults with his counsel.)

Mr. ENDE. The same answer as previously stated.

Mr. TAVENNER. Were you at one time a member of the United Electrical Workers of America?

Mr. ENDE. The same answer as previously stated.

Mr. TAVENNER. Due to your special training in a field of electrical work, have you received any appointment within the Communist Party to a position on the Building Trades Section of the Communist Party?

Mr. ENDE. The same answer as previously stated.

Mr. TAVENNER. The committee has information that you are at this time the secretary of the Building Trades Section of the Communist Party. Is that not correct?

Mr. ENDE. I will repeat and make the same answer that I previously stated.

Mr. TAVENNER. The first convention of the Southern District of the California Communist Party was held in April of 1957, at which time there was drafted a trade union resolution. Are you familiar with that resolution?

Mr. ENDE. I must decline—I do decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Are you not, in fact, a member of the Southern California District Council of the Communist Party?

Mr. ENDE. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Is it not a fact that the district council is composed of 62 members representing various sections of the Communist Party in Southern California?

Mr. ENDE. The same answer as previously stated.

Mr. TAVENNER. In 1951 were you a member of the Los Angeles Negro Labor Council?

Mr. ENDE. I refuse to—I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Are you not still a member of that council?

Mr. ENDE. I decline to answer on the same grounds as previously stated.

The CHAIRMAN. What council?

Mr. TAVENNER. The Los Angeles Negro Labor Council.

Did you receive any assignment within the Communist Party to engage in Communist Party work in the Independent Progressive Party?

Mr. ENDE. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. And also in the Civil Rights Congress?

Mr. ENDE. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Were you solicited to unite in a letter of resignation, bearing date March 26, 1958, of various members of the Communist Party of Southern California?

Mr. ENDE. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. That is all.

The CHAIRMAN. Any questions?

Mr. MOULDER. Just one question, Mr. Chairman.

Do you have any knowledge or information concerning the efforts on the part of any person under the control of the Soviet Union to infiltrate this country to the cause of communism?

Mr. ENDE. Sir, I have knowledge of no person who is under the control of the Soviet Union and I have no such knowledge.

Mr. MOULDER. Have you ever attended Communist Party meetings?

Mr. ENDE. I must decline to answer that question on the same grounds as previously stated.

The CHAIRMAN. That is all.

Mr. TAVENNER. Herbert Biskar.

The CHAIRMAN. Will you remain standing, please? Raise your right hand. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BISKAR. I do.

TESTIMONY OF HERBERT BISKAR, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. What is your name, please?

Mr. BISKAR. Herbert Biskar.

Mr. TAVENNER. Where do you live?

Mr. BISKAR. 411 Palmwood Drive, Los Angeles 8.

Mr. TAVENNER. When and where were you born?

Mr. BISKAR. I was born in November of 1933 in Washington, D.C.

Mr. TAVENNER. What is your occupation?

Mr. BISKAR. Shipping clerk.

Mr. TAVENNER. Will you state, please, briefly your formal educational training?

Mr. BISKAR. I have a high school diploma and I have a bachelor degree, a B.A.

Mr. TAVENNER. From what school?

Mr. BISKAR. I am going to refuse to answer that question.

The CHAIRMAN. I direct you to answer this question.

(Counsel confers with witness.)

Mr. BISKAR. I refuse to answer that question on the following ground: In the first place, I refuse to answer on the first amendment. I consider it to be part of my associations and I think the first amendment protects the right of association, and I guess that also would be an action that would be the privacy of your associations. I also claim the privilege of not being a witness against myself, or the fifth amendment.

Mr. MOULDER. Did I understand you to say that you graduated from college and you received a degree? You so stated, didn't you?

Mr. BISKAR. Yes, I did.

Mr. MOULDER. You have directed the witness to answer that question, have you not?

The CHAIRMAN. Yes.

Mr. MOULDER. You have opened it up by saying that you have received such a degree, that you have graduated from college.

Mr. BISKAR. I don't believe I have opened anything up, sir.

Mr. TAVENNER. May the record show a direction after his explanation?

The CHAIRMAN. Yes; I directed him to answer the question as to where he received the degree that he just stated he had received.

Mr. MARGOLIS. Do you want another response to that direction?

The CHAIRMAN. He has already answered.

Mr. MOULDER. As I understand it, the witness still declines to answer the question.

Mr. BISKAR. Yes; on the previous grounds.

Mr. MOULDER. Claiming the first?

Mr. BISKAR. First and fifth amendments, and pertinency, too. I would add that I don't believe that it is pertinent to the purposes of this committee to find out just where I went to school.

Mr. TAVENNER. Did you attend the Los Angeles State College?

Mr. BISKAR. I would have to refuse that on the previous grounds; that actually is the same question, or very similar.

Mr. TAVENNER. May I have a direction to answer?

The CHAIRMAN. You are directed to answer the question.

Mr. BISKAR. I refuse to answer on the previous grounds, that is, the first amendment, the fifth amendment, pertinency.

Mr. TAVENNER. When did you first come to California to make this the place of your residence?

Mr. BISKAR. I came here in 1952.

Mr. TAVENNER. What has been your record of employment since that time?

Mr. BISKAR. Well—

(Counsel confers with witness.)

Mr. BISKAR. I have had a lot of miscellaneous part-time jobs except for this past year where I have been working as a shipping clerk full time.

Mr. TAVENNER. Very soon after your arrival in Los Angeles did you become identified with the Labor Youth League in its activities?

Mr. BISKAR. I will have to refuse to answer on the previous grounds. Your questioning me on my political affiliations is expressly forbidden by the first amendment, so I am going to plead that and also my previous grounds.

Mr. TAVENNER. The Labor Youth League has been cited as a Communist organization by Attorney General McGrath in his letter to the Loyalty Review Board released August 30, 1950.

The CHAIRMAN. Since recent decisions of the Supreme Court, I do not think that you can properly invoke the fifth amendment, because you are not exposing yourself to the danger of any prosecution criminally. So I direct you to answer that question.

(Counsel confers with witness.)

Mr. BISKAR. I take the same answer that I took before.

The CHAIRMAN. In other words, you decline to answer for the reasons that you gave?

Mr. BISKAR. Right; first, fifth, and pertinency.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an article appearing in the September 18, 1953, issue of the People's World, entitled "Weekend Mobilizations in Wells Case." May it be marked "Herbert Biskar Exhibit No. 1"?

The CHAIRMAN. It will be so marked.

(Document marked "Herbert Biskar Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. Mr. Biskar, this article refers to various persons taking part in the activities indicated by the title, and among them is the name of Herbert Biskar, Labor Youth League. The name Biskar is spelled B-i-s-c-a-r, whereas I understand the correct spelling of your name is B-i-s-k-a-r.

Will you state whether or not your name was accurately reported as one taking part in the movement indicated?

Mr. BISKAR. B-i-s-c-a-r is not my name, otherwise I refuse to identify the document or comment further on its accuracy or validity.

Mr. TAVENNER. Do I understand you refuse to state whether you are the Herbert Biskar, member of the Labor Youth League, referred to in this article?

Mr. BISKAR. I refuse to identify it, yes, on the previous grounds stated.

Mr. TAVENNER. Were you a member of the Labor Youth League on September 18, 1953?

Mr. BISKAR. Same answer.

Mr. TAVENNER. Were you a member of the Communist Party on the 18th day of September 1953?

Mr. BISKAR. I cite my previous grounds.

Mr. TAVENNER. The investigation of the committee reflects that on January 10, 1956, a meeting was held of the Labor Youth League in Los Angeles and that you were chairman of the student division of the Labor Youth League at that time; is that correct?

Mr. BISKAR. I refuse to answer that on the previously stated grounds.

Mr. TAVENNER. Were you a member of the Communist Party on January 10, 1956?

Mr. BISKAR. Same answer.

Mr. TAVENNER. Were you present on August 16, 1955, at a meeting of the Los Angeles County Labor Youth League which was addressed by Frank Carlson on dialectical materialism?

Mr. BISKAR. I refuse to answer that on the previous grounds.

Mr. TAVENNER. Were you a member of the Communist Party on August 16, 1955?

Mr. BISKAR. Same answer.

Mr. TAVENNER. The information of the committee is that you were present at a membership meeting of the Los Angeles County Labor Youth League held at 3875 City Terrace Drive. This is the address of the City Terrace Cultural Center. This meeting, according to the committee's information, was concerned with whether or not to dissolve the league, that is, the Labor Youth League; and a vote was taken on that subject at which it was determined by 27 to 24 not to dissolve it, thus indicating that there were at least 51 persons present at that league meeting.

Will you tell us whether that vote was correctly stated?

Mr. BISKAR. I don't think I am going to comment on the accuracy of your informers.

Mr. TAVENNER. What informers do you refer to?

Mr. BISKAR. I don't want to comment on the accuracy of any informers of any of these things that you have stated previously. So I am going to refuse to answer that question.

The CHAIRMAN. Where did you get the idea that there were any informers?

(Counsel confers with witness.)

Mr. BISKAR. I assume that you probably didn't make it up out of your own minds.

The CHAIRMAN. In other words, the question that was asked indicates to you pretty definitely that we had some information on which you could throw some light?

Mr. BISKAR. But not necessarily that the information is true.

The CHAIRMAN. That is right.

Mr. BISKAR. I assume that you didn't make it up.

The CHAIRMAN. That is right. Well, I will set your mind—

Mr. BISKAR. Most informers do lie.

The CHAIRMAN. I will set your mind at rest on that. The basis of this question was not made up.

Mr. TAVENNER. Is the committee's information correct that you were present at this meeting?

Mr. BISKAR. I refuse to answer that question on the previously stated grounds. All people know that professional informers do not tell the truth.

The CHAIRMAN. Why do you mention professional informers, or informers? We haven't said anything about any informers. Why do you talk about informers?

Mr. BISKAR. Well, anyone that would work for this committee or for a report on activities of various organizations and people I assume to be professional. They are being paid.

The CHAIRMAN. Where do you get any idea that there has been anyone furnishing this committee or any of its staff with information?

(Counsel confers with witness.)

Mr. BISKAR. I stated before that I assumed it wasn't made up, so—

The CHAIRMAN. Wait a minute. Let me go one step further. You say it was not made up?

Mr. BISKAR. I assume that it wasn't made up.

Mr. TAVENNER. And that any informer's information is not correct? Now tell us, was this correct—the basis of this question correct?

Mr. BISKAR. I refuse to answer that question.

Mr. TAVENNER. Isn't it a fact that at one meeting it was decided that the successor organization to the Labor Youth League in this area should be the Los Angeles County Progressive Youth League?

Mr. BISKAR. I refuse to answer that question on the previously stated grounds, the first amendment, the fifth, and pertinency.

Mr. TAVENNER. In fact, the Labor Youth League was disbanded not very long after that; isn't that true?

Mr. BISKAR. I refuse to answer that on previously stated grounds.

Mr. TAVENNER. What organization is the successor to that league?

Mr. BISKAR. I refuse to answer that on the previously stated grounds.

Mr. TAVENNER. At a meeting held on December 11, 1956, of the Labor Youth League, did you not contend publicly for the exercise of greater discipline over the members?

Mr. BISKAR. I refuse to answer that question on the previously stated grounds.

Mr. TAVENNER. Did you participate in the Southern California District convention of the Communist Party held on April 13 and 14, 1957, in Los Angeles?

Mr. BISKAR. Same grounds.

Mr. TAVENNER. At that time did you receive and consider the report of Dorothy Healey relating in part to the youth organizations of the Communist Party?

Mr. BISKAR. Same grounds.

Mr. TAVENNER. Did not the youth program announced by Dorothy Healey include special activities aimed at college youth?

Mr. BISKAR. I refuse to answer that on the previously stated grounds.

Mr. TAVENNER. Do not the plans of the Communist Party contemplate the establishment of a new youth organization in southern California and other areas of the country under the special direction of the Communist Party?

Mr. BISKAR. I refuse to answer that question on the previous grounds.

Mr. TAVENNER. Aren't you one of the leading organizers of youth in the Communist Party in southern California?

Mr. BISKAR. I refuse to answer that on the previously stated grounds.

Mr. TAVENNER. You state that you—

Mr. BISKAR. Go ahead. Never mind, go ahead.

Mr. TAVENNER. I don't want to interrupt you.

Mr. BISKAR. That is all right.

Mr. TAVENNER. You stated that your work is that of a shipping clerk. Is that in Los Angeles?

Mr. BISKAR. Yes; it is.

Mr. TAVENNER. Does your work take you outside of the city of Los Angeles?

Mr. BISKAR. No, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. MOULDER. You have refused to answer certain questions dealing with Communist Party activities in the State of California, as I understand you, on the grounds that it concerns your political affiliations and associations, political beliefs and associations; is that correct?

Mr. BISKAR. That is one of my reasons.

Mr. MOULDER. That is one of your reasons?

Mr. BISKAR. Right.

Mr. MOULDER. Now, what is your reaction to this question? Do you approve of the Soviet Union Communist movement internationally?

Mr. BISKAR. Is that the question?

Mr. MOULDER. Do you approve of the movement on the part of the Soviet Union to dominate the world internationally through communism? That has nothing whatsoever to do with political affiliation in this country.

Mr. BISKAR. Actually it doesn't have anything to do with political affiliation necessarily, but it does have to do with part of the first amendment thereto because it is part of free speech, political opinion; and whether I do or not, I don't think it is necessary for me to say. So I will refuse to answer that question on the previously stated grounds.

Mr. MOULDER. Then in view of your response to that question, I will ask this question: Would you render aid and assistance to the Soviet Union in its efforts to dominate our Government and our American form of Government as we know it in this country through the Communist Party internationally?

Mr. BISKAR. It is true that I don't accept all of your assumptions, so it is very difficult for me to answer that question. So I will just have to refuse to answer on the previously stated grounds.

Mr. MOULDER. Then I will ask this question: Would you render assistance in any form to the Soviet Union in its efforts to dominate and control this country through communism?

Mr. BISKAR. It appears to me, sir, that that is the same question just worded differently, so I have to refuse to answer that on the previously stated grounds.

Mr. MOULDER. Then my closing question is this: You are a young man. Would you take every step possible to avoid military service in the event of a conflict with the Soviet Union?

Mr. BISKAR. No, I wouldn't.

Mr. MOULDER. Do I understand you to say then that you would fight for your country in the event of a conflict with the Soviet Union?

Mr. BISKAR. Yes, I would.

Mr. MOULDER. That is all.

The CHAIRMAN. All right, sir. We will have a break of 5 minutes. (Committee members present: Representatives Walter and Moulder.)

(Brief recess.)

(Committee members present: Representatives Walter and Moulder.)

Mr. TAVENNER. Marvin Biskar.

The CHAIRMAN. Will you raise your right hand please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BISKAR. I do.

**TESTIMONY OF MARVIN BISKAR, ACCOMPANIED BY COUNSEL,
BEN MARGOLIS**

Mr. TAVENNER. Will you state your name, please?

Mr. BISKAR. Marvin Biskar.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis, a member of the Los Angeles Bar.

Will you state your place of residence, please?

Mr. BISKAR. I don't think it is pertinent. I decline to answer the question.

Mr. TAVENNER. Do you reside at 4034 West Boulevard?

Mr. BISKAR. That is the correct address, yes.

The CHAIRMAN. What was that answer?

(The reporter read from her notes as requested.)

Mr. TAVENNER. When and where were you born?

Mr. BISKAR. Washington, D.C., April 17, 1927.

Mr. TAVENNER. What is your occupation?

Mr. BISKAR. I decline to answer that question. I don't think it is pertinent to the investigation.

The CHAIRMAN. You are directed to answer that question.

(Counsel confers with witness.)

Mr. BISKAR. I would like to refuse on grounds of pertinency, the basis of the first amendment, and also on the basis of the fifth amendment.

The CHAIRMAN. When you say you would like to, you mean you do?

Mr. BISKAR. I do decline.

Mr. TAVENNER. Is it not a fact that you are a worker in the sheet metal industry?

Mr. BISKAR. I decline to answer on the grounds previously stated.

Mr. TAVENNER. When did you come to the State of California to make it the place of your residence?

Mr. BISKAR. I decline on the same grounds.

Mr. TAVENNER. What is your formal educational training?

Mr. BISKAR. I decline to answer that question.

(Counsel confers with witness.)

Mr. MARGOLIS. Just one second.

Mr. BISKAR. Would you mean how far I went in my education?

Mr. TAVENNER. I just wanted to know of what your educational training consisted.

Mr. BISKAR. I have been through 3½ years of college, university.

Mr. TAVENNER. Where?

Mr. BISKAR. I decline to answer that question.

Mr. TAVENNER. Wasn't it in Washington, D.C.?

Mr. BISKAR. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Is your refusal to answer that question based upon a contention that the answer might tend to incriminate you?

Mr. BISKAR. Well, I decline on the grounds previously stated, which include the grounds of basis of self-incrimination, which could open me up to prosecution. That is true.

Mr. TAVENNER. Do you honestly feel that a truthful reply to that question might tend to incriminate you?

(Witness confers with counsel.)

Mr. BISKAR. I feel that, in the atmosphere of this committee, that is quite possible. I don't feel that the committee is honestly seeking legislative information but has a certain malicious intent. And I am quite, quite possibly open to prosecution, although innocent.

Mr. TAVENNER. Mr. Chairman, I think, in the light of the witness' refusal to answer questions of this character, I may just as well at this point read into the record the testimony of Mary Markward before this committee on June 11, 1951, in Washington, D.C. You will recall Mary Markward as the person who, at the instance of the Federal Bureau of Investigation, became a member of the Communist Party and rose to the position of treasurer of the Communist Party comprising the city of Washington and the State of Maryland, and part of Virginia.

This question was asked by Mr. Owens:

Next, we come to the Students Club. Can you identify for the committee individuals whom you knew to be members of the Communist Party of the District of Columbia assigned to the Students Club, breaking it down into schools where the students were in attendance, if you can?

Mrs. MARKWARD. The students principally came from Howard University and George Washington University. I think a little history of the Students Club would clarify the situation for the committee's information. Frances Crystal in 1945 was a student on the George Washington University campus, and I believe on her own initiative had organized a group of students in what was called at the time the Young Citizens' League. From this group they organized a Marxist study class. From this Marxist study class which was taught by members of the leadership of the Communist Party, members were recruited. Among these were Howard Phillips and Robert Phillips.

I might mention that it was prior to this time that Frances Crystal had transferred to our party here. I believe she came from one of the other organizations in Washington, the underground organization, I believe. Just about this time a number of veterans who had either been Young Communist League members or Communist Party members before their period in the service, returned and went to school and became members of this club. Bernie Cristopher Campbell was one of these.

Moe Falk was a member. He was transferred in from one of the New England States at a later date.

Chester Kurrier was transferred from one of the New England States. He was already a party member.

These veterans were active in veterans' organizations and were able to recruit a number of other members. I am not certain who was the initial contact on the campus at Howard University.

Mr. OWENS. Before we leave this other group, the group you have just identified were all students at George Washington University?

Mrs. MARKWARD. Except Chef Kurrier. He went to King-Smith Art School.

Mr. OWENS. Were there any others in attendance at George Washington University?

Mrs. MARKWARD. Marvin Biskar; Eddie Majchrzyk; Morty Goldstein, a girl who married Marvin Biskar, her name was Galpert, I believe Ida Galpert.

Mr. OWENS. Mrs. Markward, these individuals whom you have identified at George Washington University, to the best of your knowledge are most of them still in Washington; or have they left the city of Washington?

That apparently is not answered. I am not going to ask you any question relating to Ida Galpert; but other than the matter contained herein relating to Ida Galpert, is there any statement that I read to you from the testimony of Mrs. Markward which is untrue?

Mr. BISKAR. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Did you attend George Washington University?

Mr. BISKAR. I decline for the same reasons.

Mr. TAVENNER. Were you a member of the Communist Party while on the campus at George Washington University?

Mr. BISKAR. I decline on the same grounds.

Mr. TAVENNER. Haven't you been continuously engaged in Communist Party activities among youth since arriving in California?

Mr. BISKAR. I decline on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party at the time you came to Los Angeles?

Mr. BISKAR. That is the same question, but I decline on the same grounds.

Mr. TAVENNER. The committee has information that on January 4, 1957, you attended the Los Angeles County Labor Youth League meeting at 3875 City Terrace, at which time the election of officers of the Labor Youth League took place. Were you elected an officer on that occasion?

Mr. BISKAR. I decline on the same grounds previously stated.

Mr. TAVENNER. The committee also is informed that on January 5, and 6, 1957, you were a delegate to the Los Angeles County Communist Party convention. Is that correct?

Mr. BISKAR. I decline on the same grounds.

Mr. TAVENNER. Did you also attend the first district convention for the Southern District of California on April 13 and 14, 1957?

Mr. BISKAR. The first district convention of what, sir?

Mr. TAVENNER. Of the Communist Party of the district for the Southern District of California.

Mr. BISKAR. I decline on the same grounds.

Mr. TAVENNER. Will you tell the committee, please, whether you have studied the report made by Dorothy Healey on April 13 and 14, 1957, regarding the plans of the Communist Party with regard to youth?

Mr. BISKAR. I decline as previously stated.

Mr. TAVENNER. What work is being performed now in the Communist Party in the youth movement in Los Angeles?

Mr. BISKAR. I decline as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Maybe he could throw some light on this move to oust Mrs. Healey.

Mr. TAVENNER. Yes. Are you aware of the motion that was made on the floor at the meeting held on July 27, 1958, of the District Council of the Communist Party for the Southern District of California to oust Dorothy Healey from leadership in the Communist Party?

Mr. BISKAR. I decline on the grounds previously stated.

The CHAIRMAN. When was that motion made, Mr. Tavenner?

Mr. TAVENNER. July 27, 1958.

The CHAIRMAN. That was made at this closed party meeting?

Mr. TAVENNER. Yes; at a meeting of the district council, at which time Dorothy Healey made a minority report regarding the June 28 meeting of the National Committee of the Communist Party.

Were you present?

Mr. BISKAR. I decline to answer.

Mr. TAVENNER. I do not think the witness was present.

The CHAIRMAN. Any questions, Mr. Moulder?

Mr. MOULDER. What was the name of the witness previous to this one?

Mr. TAVENNER. Herbert Biskar.

Mr. MOULDER. Are you the brother of Herbert Biskar?

(Witness confers with counsel.)

Mr. BISKAR. I decline on grounds previously stated.

Mr. MOULDER. You mean to decline to answer the question of whether or not Herbert is your brother?

Mr. BISKAR. It is not such an innocent question. Many questions have intent to open prosecution. Even though I am innocent and I decline to answer questions.

Mr. MOULDER. You say you resided in Washington, D.C., up until what date?

Mr. BISKAR. I just stated that I was born in Washington, D.C.

Mr. MOULDER. When did you leave Washington, D.C.?

Mr. BISKAR. I declined to answer that question previously.

Mr. MOULDER. What caused you to come to California?

Mr. BISKAR. Climate, like many Southern Californians.

Mr. MOULDER. Were you a student at the time you came to California?

Mr. BISKAR. I decline to answer that question on the grounds previously stated.

Mr. MOULDER. Did anyone connected with the Communist Party movement in California solicit your moving to California?

Mr. BISKAR. I decline to answer that question.

Mr. MOULDER. Do you consider being a member of the Communist Party to be an act of disloyalty to our country?

Mr. BISKAR. I decline to answer that question.

The CHAIRMAN. The witness is excused.

Mr. TAVENNER. Sophie Kishner.

The CHAIRMAN. Will you stand up, please, and raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KISHNER. I do.

TESTIMONY OF SOPHIE KISHNER, ACCOMPANIED BY COUNSEL, DAN MARSHALL

Mr. TAVENNER. Would you state your name, please?

Mrs. KISHNER. My name is Sophie Kishner.

Mr. TAVENNER. Will you spell your last name?

Mrs. KISHNER. K-i-s-h-n-e-r.

Mr. TAVENNER. It is noted that Mrs. Kishner is accompanied by Mr. Dan Marshall, a member of the Los Angeles Bar.

Where do you reside?

(Witness confers with counsel.)

Mrs. KISHNER. I decline to answer this question on the following ground: The 1st amendment of the Bill of Rights, the 4th amendment of the Bill of Rights, the 5th amendment of the Bill of Rights, the 6th amendment of the Bill of Rights, the 9th amendment of the Bill of Rights, and the 10th amendment of the Bill of Rights, and the lack of pertinency.

Mr. MARSHALL. Will it be understood that, in the event of any further questions being asked the witness to which she wishes to decline to answer, her declination will have been deemed to be made upon all the grounds she has so stated?

The CHAIRMAN. That will be understood; that any declination will be based on those grounds.

Mr. TAVENNER. In relying on the fifth amendment as a ground for your refusal to answer, are you relying upon that part of the fifth amendment which relates to the use of testimony against yourself?

(Counsel confers with witness.)

Mrs. KISHNER. I will decline to answer by the same grounds.

Mr. TAVENNER. Are you of the opinion that to answer the question truthfully might tend to incriminate you?

Mrs. KISHNER. I decline to answer on the same grounds.

Mr. TAVENNER. I ask, Mr. Chairman, that she be directed to answer the question.

The CHAIRMAN. She is directed to answer the question.

Mr. MARSHALL. May we have the question read now?

The CHAIRMAN. Read the question.

(The reporter read the record as requested.)

(Witness confers with counsel.)

Mr. MARSHALL. Would you care to amend that question by adding "or tend to expose you to prosecution"?

Mr. TAVENNER. No, sir.

Mrs. KISHNER. Yes.

Mr. TAVENNER. What is your occupation?

Mrs. KISHNER. I decline to answer on the previously stated reasons.

Mr. MARSHALL. Just a moment, Mr. Tavenner.

You have to keep your voice up so the reporter can hear you.

Mr. TAVENNER. Where were you born?

Mrs. KISHNER. I decline to answer for the same reasons.

Mr. TAVENNER. Is Sophie Kishner your married name?

Mrs. KISHNER. I decline to answer.

Mr. TAVENNER. Have you at any time lived under another name?

Mrs. KISHNER. I decline to answer.

Mr. TAVENNER. The committee's investigation has disclosed that you have expressed dissatisfaction with the current operations of the Communist Party and that in fact you signed a letter of grievances on December 14, 1957, addressed to the National Committee of the Communist Party on that subject. Did you sign the letter using only your first name?

Mrs. KISHNER. I decline to answer this question, sir, on the same grounds.

Mr. TAVENNER. Do you honestly contend and believe that to admit the signing of a letter of grievances addressed to the Communist Party of the United States would tend to incriminate you?

Mrs. KISHNER. I will decline to answer that question.

Mr. TAVENNER: The letter of December 14, 1957, to which I have referred is Healey Exhibit No. 22. In this letter is found a recommendation that the present structure of the party be made more flexible so that membership in the present type of party club is not necessarily a requirement for adherence to the organization. What is your understanding of the meaning of that?

Mrs. KISHNER: I decline to answer, sir, on the same grounds.

Mr. TAVENNER: Do you know the meaning?

Mrs. KISHNER: I decline to answer, sir, on the same grounds.

Mr. TAVENNER: Are you acquainted with the fact that at a subsequent date Dorothy Healey attempted to answer this letter of grievances?

Mrs. KISHNER: I decline to answer on the same grounds.

Mr. TAVENNER: Are you not also aware of the fact that, after she attempted to answer the grievances, a number of the members of the Communist Party in the Southern District of California wrote a letter of resignation bearing date of March 26, 1958?

Mrs. KISHNER: I decline to answer that question on the same grounds.

Mr. TAVENNER: Did you, although not a signer of that letter of resignation, nevertheless express agreement with it?

Mrs. KISHNER: No.

Mr. TAVENNER: And follow it by your own resignation from the Communist Party?

Mrs. KISHNER: I decline to answer this question also on the same grounds.

Mr. TAVENNER: You are honestly of the opinion that to admit now that you have resigned from the Communist Party, might tend to incriminate you?

Mrs. KISHNER: I will have to decline to answer that question, too, sir.

Mr. TAVENNER: Will you tell us to what extent Dorothy Healey herself participated in the preparation of the letter of December 14, 1957, constituting a statement of grievances?

Mrs. KISHNER: I am going to decline to answer on the same grounds.

Mr. TAVENNER: How could it possibly incriminate you? We are asking about what part she played in it.

Mrs. KISHNER: I am going to decline to answer, sir, on the same grounds.

Mr. TAVENNER: I have no further questions, Mr. Chairman.

The CHAIRMAN: Any questions, Mr. Moulder?

Mr. MOULDER: I have one question, Mr. Chairman.

You refused to answer any and all questions propounded to you by counsel for the committee. If you had any information on subversive activities or acts of treason or disloyalty within the Communist Party, would you inform this committee?

(Counsel confers with witness.)

Mrs. KISHNER: I decline to answer this question.

The CHAIRMAN: That is all.

Mr. TAVENNER: I would like the witness to return to the stand, please.

The CHAIRMAN: Mr. Marshall, we would like to ask one more question.

Mr. TAVENNER: The committee's investigation has disclosed that you, as a matter of fact, resigned from the Communist Party in March of 1958. Is that true?

Mrs. KISHNER. I decline to answer that question.

Mr. TAVENNER. Is not your real reason for refusing to answer any questions about your resignation from the Communist Party due to the fact that you and others who have withdrawn from the Communist Party still support the Communist Party in its objectives and, for all intents and purposes, you are still members though not members organizationally speaking?

Mrs. KISHNER. I am going to have to decline to answer that on the grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOLOMON. I do.

**TESTIMONY OF JOSEPH SOLOMON, ACCOMPANIED BY COUNSEL,
AL WIRIN**

Mr. TAVENNER. Will you state your name, please?

Mr. SOLOMON. Joseph Solomon.

Mr. TAVENNER. Where do you live?

Mr. SOLOMON. 1333 Bates Avenue.

Mr. TAVENNER. When and where were you born?

Mr. SOLOMON. August 26, 1913.

Mr. TAVENNER. Where?

Mr. SOLOMON. San Diego.

Mr. TAVENNER. What is your occupation?

(Counsel confers with witness.)

Mr. SOLOMON. I refuse to answer that on the basis of the first and the fifth and I don't think it is pertinent.

Mr. TAVENNER. When you say you base your declination on the fifth amendment, do you mean that provision of the fifth amendment relating to self-incrimination?

Mr. SOLOMON. Yes, sir.

Mr. MOULDER. Do you honestly believe in good faith that to answer that question might tend to incriminate you?

Mr. SOLOMON. Yes.

Mr. TAVENNER. Aren't you engaged in work with the Griswold Duplicating Products, Inc., at 1820 Beverly Boulevard?

Mr. SOLOMON. I refuse to answer on the previous grounds.

Mr. TAVENNER. Mr. Solomon, the committee's investigation has disclosed that you resigned from the Communist Party in the middle of 1957 or that you were relieved of your Communist Party duties at that time. Which is correct?

Mr. SOLOMON. I refuse to answer that on the same grounds.

Mr. TAVENNER. Were you relieved of actual membership at the instance of the Communist Party because of other duties that you were assigned to by the Communist Party?

Mr. SOLOMON. I refuse to answer that question on the same grounds previously stated.

Mr. TAVENNER. Were you assigned by the Communist Party to work of a political character?

Mr. SOLOMON. I refuse to answer that question on the same grounds as previously stated.

Mr. TAVENNER. Do you honestly believe that to answer that question would tend to incriminate you?

Mr. SOLOMON. Yes.

Mr. TAVENNER. Are you at the present time under Communist Party discipline?

Mr. SOLOMON. I refuse to answer that question on the same grounds, first and fifth.

Mr. TAVENNER. The committee's investigation also discloses that you were at one time active within the Independent Progressive Party of California.

(Witness confers with counsel.)

Mr. TAVENNER. Will you state whether or not that activity on your part was instigated, suggested, or directed by the Communist Party?

Mr. SOLOMON. I refuse to answer the question on the same grounds as previously stated.

Mr. TAVENNER. Well, as a matter of fact, you were active in the work of the Independent Progressive Party, were you not?

(Witness confers with counsel.)

Mr. SOLOMON. I refuse to answer that question.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of an Appointment of Members of the State Central Committee for the year 1954 and ask that it be marked "Solomon Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

(Document marked "Solomon Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. Will you examine this exhibit, please, and state whether or not the first person mentioned as an appointee to the State Central Committee as of August 8, 1954, is Joseph Solomon?

Mr. SOLOMON. I refuse to answer this question on the same grounds as previously stated.

Mr. TAVENNER. Are you the Joseph Solomon mentioned as the first appointee on this exhibit?

Mr. SOLOMON. I refuse to answer the question.

Mr. TAVENNER. I also offer in evidence an additional photostatic copy of an Appointment of Members of the State Central Committee for the year 1952, that is of the Independent Progressive Party. This relates to the appointment of three other persons but it purports to have been signed by Joseph Solomon as a qualified delegate to the State Convention for that year. May it be marked "Solomon Exhibit No. 2."

Will you examine it, please, and state whether or not the signature is your genuine signature?

Mr. SOLOMON. I refuse to answer the question.

Mr. TAVENNER. May it be received in evidence?

The CHAIRMAN. Make it a part of the record.

(Document marked "Solomon Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. I also have a third document to offer in evidence and ask that it be marked "Solomon Exhibit No. 3." It is a photo-

static copy of Appointment of Members of the State Central Committee of the Independent Progressive Party for the year 1950.

The CHAIRMAN. Make it a part of the record.

(Document marked "Solomon Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. Mr. Solomon, will you look at the second name appearing as an appointee for that year and state whose name it is?

Mr. SOLOMON. I refuse to answer the question.

Mr. TAVENNER. Were you not appointed to the State Central Committee for the year 1950?

Mr. SOLOMON. I refuse to answer the question, sir.

Mr. TAVENNER. Where did you reside in 1945?

(Witness confers with counsel.)

Mr. SOLOMON. I refuse to answer the question, sir.

Mr. TAVENNER. In 1945 were you a member of the San Pedro Club of the Communist Political Association?

Mr. SOLOMON. I refuse to answer the question.

Mr. MOULDER. May I interrupt, Mr. Chairman, at that point?

You refuse to answer that question on the same grounds you used previously?

Mr. SOLOMON. Same grounds, yes.

Mr. MOULDER. Also, Mr. Tavenner asked you if you honestly believed that a truthful answer to the question might tend to incriminate you. You said "yes." Do you believe that if you honestly answered the question just propounded it might tend to incriminate you?

Mr. SOLOMON. Yes, sir.

Mr. MOULDER. While a member of that club, did you ever commit a crime or any act of treason or disloyalty to our country?

Mr. SOLOMON. I refuse to answer that question, sir. Same grounds as previously stated.

Mr. TAVENNER. After the so-called reconstruction of the Communist Party in 1946, did you become a member of the Communist Party in San Pedro?

Mr. SOLOMON. I refuse to answer that question on the same grounds as previously stated, sir.

Mr. TAVENNER. I offer in evidence, and ask that it be marked "Solomon Exhibit No. 4," a thermofax copy of an article appearing in the May 10, 1946, issue of People's World, entitled "Negro Girl Defended—Communist Group Pulls Cover Off of Bus Driver's Charges." May it be received in evidence?

The CHAIRMAN. Let it be received.

(Document marked "Solomon Exhibit No. 4," and retained in committee files.)

Mr. TAVENNER. The last paragraph of this article reads as follows:

On the Communist committee are Morel, Robert Levine, Steve Edney, William Wright, Helen Robello and Joseph Solomon.

Is the identification of Joseph Solomon a correct identification of you?

Mr. SOLOMON. I refuse to answer that question, sir, on the same grounds as previously stated.

The CHAIRMAN. Let me see that.

Mr. TAVENNER. Were you a member of the committee of the Communist Party on the date indicated?

Mr. SOLOMON. I refuse to answer again on the same basis.

Mr. TAVENNER. Is it not true that, as late as May 1956 you were section organizer of the Eastern Division of the Los Angeles County Communist Party?

Mr. SOLOMON. I refuse to answer that question on the same grounds as previously stated.

Mr. TAVENNER. As indicated in my earlier question, there was some uncertainty as to whether you resigned from the Communist Party or whether you were assigned some particular activity and that your name should be dropped as an organizational member of the Communist Party. So let me ask you this question: Are you now a member of the Communist Party?

Mr. SOLOMON. I refuse to answer the question, sir, on the same grounds previously stated.

Mr. TAVENNER. Have you at any time gone through the formality of resigning from the Communist Party?

Mr. SOLOMON. I refuse to answer that question.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Were you ever a member of the U.S. Armed Forces?

Mr. SOLOMON. No, sir.

Mr. MOULDER. Were you subject to military service call during the last war?

Mr. SOLOMON. You mean was I classified, and so forth?

Mr. MOULDER. Yes.

Mr. SOLOMON. Yes; I was subject.

Mr. MOULDER. What was your classification?

Mr. SOLOMON. I believe it was III-A.

Mr. MOULDER. You were how old at the time?

Mr. SOLOMON. Which year are you referring to now?

Mr. MOULDER. 1942.

Mr. SOLOMON. 1942, that is 16 years ago. 29.

Mr. MOULDER. That is all.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BIBER. I do.

**TESTIMONY OF STELLA CHOYKE BIBER, ACCOMPANIED BY
COUNSEL, LOREN MILLER**

Mr. TAVENNER. Will you state your name, please?

Mrs. BIBER. My name is Stella Biber.

Mr. TAVENNER. How do you spell your last name?

Mrs. BIBER. B-i-b-e-r.

Mr. TAVENNER. Do you have a middle initial?

Mrs. BIBER. Sometimes I use the initial "C."

Mr. TAVENNER. Will counsel identify himself for the record?

Mr. MILLER. My name is Loren Miller.

Mr. TAVENNER. When and where were you born?

Mrs. BIBER. I was born in New York City, September 11, 1902.

Mr. TAVENNER. When did you come to California to make it the place of your residence?

Mrs. BIBER. About 15 years ago.

Mr. TAVENNER. What is your occupation?

Mrs. BIBER. I am a bookkeeper.

Mr. TAVENNER. Will you please tell the committee what your formal educational training has been?

Mrs. BIBER. Grammar school—it was all in New York City, of course—and Julia Richman High School, and I went to New York University where I studied accounting and business administration.

Mr. TAVENNER. You say you are presently engaged as a bookkeeper?

Mrs. BIBER. That is true.

Mr. TAVENNER. Over how long a period of time have you been so employed?

Mrs. BIBER. Oh, I have been a bookkeeper for almost 40 years.

Mr. TAVENNER. That has been your constant work since being in California?

Mrs. BIBER. Yes; also since I was 16 years of age.

Mr. TAVENNER. Have you at any time engaged in any other occupation besides that of a bookkeeper?

Mrs. BIBER. No.

Mr. TAVENNER. The committee's investigation indicates that you were an organizational secretary of the 62d Assembly District of the Communist Party in 1951. Is that correct?

Mrs. BIBER. Well, I refuse to answer that question.

Mr. TAVENNER. Why?

Mrs. BIBER. Under—well, first, I claim the first amendment to the Constitution, and I wish to invoke the fifth amendment of the Constitution of the United States.

Mr. TAVENNER. Have you at any time been assigned by the Communist Party to become active in the Independent Progressive Party of California?

Mrs. BIBER. I decline to answer that question for the reason previously stated.

Mr. TAVENNER. Well, you have been active in that work, have you not?

Mrs. BIBER. I decline to answer that question.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of a petition of the Independent Progressive Party to participate in the primary election of June 1, 1948, to which there is attached an affidavit over the signature of a Stella C. Biber. I desire to offer it in evidence and ask that it be marked "Biber Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

(Document marked "Biber Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine it, please, and state whether or not there is an affidavit at the end of that petition stating that you circulated and obtained the signatures of the persons appearing above?

Mrs. BIBER. I decline to answer the question for the reasons previously stated.

Mr. TAVENNER. Is the signature appearing at the bottom of the petition your signature?

Mrs. BIBER. Same answer.

Mr. TAVENNER. Have you at any time been assigned by the Communist Party to work in the Los Angeles Negro Labor Council?

Mrs. BIBER. I decline to answer that question and invoke the fifth amendment.

Mr. MOULDER. Do you honestly believe that the truthful answer to that question would tend to incriminate you?

Mrs. BIBER. Well, that is my answer. I claim the privilege of the first amendment, which deals with right of association, and also the privilege of the fifth amendment.

Mr. MOULDER. Do you believe that to tell whether or not you are a member of a Negro Labor Council might tend to incriminate you to the extent that you would be subjected to prosecution?

Mrs. BIBER. I have given my answer.

Mr. MOULDER. You haven't answered my question. I just asked you a question.

Mrs. BIBER. I have no other answer.

Mr. TAVENNER. I failed to ask you, is the name Stella C. Biber your maiden name or your married name?

Mrs. BIBER. That is my married name.

Mr. TAVENNER. What was your maiden name?

Mrs. BIBER. Stella Choyke. That is where the C comes from.

Mr. TAVENNER. Were you a member of the executive board of the Wiggins Club of the Communist Party of Los Angeles in 1949?

Mrs. BIBER. I decline to answer for the reasons previously stated.

Mr. TAVENNER. There was a convention—in fact the organization convention—of the Southern District of the California Communist Party held in Los Angeles on April 13 and 14, 1957, which was addressed at that time by the chairman of this district, Dorothy Healey. Our information is that you were a delegate to that convention, is that correct?

Mrs. BIBER. I decline to answer.

Mr. TAVENNER. Did you attend the convention?

Mrs. BIBER. I decline to answer for the reasons previously stated.

Mr. TAVENNER. You are acquainted with the character of the report that she made, are you not?

Mrs. BIBER. I decline to answer.

Mr. TAVENNER. Let me ask you a little about it. She reported the decision of the National Committee of the Communist Party, supporting the Soviet use of armed forces in Hungary. Did you at any time remonstrate against that?

Mrs. BIBER. I decline to answer that question for the reasons previously stated.

Mr. TAVENNER. Did you at any time support, directly or indirectly, the Communist Party in its support of the Soviet Union's action in Hungary?

Mrs. BIBER. I decline to answer that question for the reasons previously stated.

Mr. TAVENNER. You are aware of the great division of opinion among the members of the District Council of the Southern District of California regarding the execution of Nagy, are you not?

Mrs. BIBER. I decline to answer that question.

Mr. TAVENNER. Were you present at a meeting held on July 27, 1958, of the District Council of the Communist Party for the Southern District of California?

Mrs. BIBER. I decline to answer that question for the reasons previously stated.

Mr. TAVENNER. It is not our information that you were present, but I thought if you happened to be and we missed it in some way, you might enlighten us on the subject.

Mrs. BIBER. I would be glad to be helpful to you, sir.

Mr. TAVENNER. Then, let me ask you what the plans of the Communist Party are regarding Dorothy Healey's retention as the leader of the Communist Party in this area? Now you can be helpful.

Mrs. BIBER. That is quite a question. I decline to answer that question.

Mr. TAVENNER. You are very helpful. That is all.

The CHAIRMAN. No further questions. We will recess until 2 o'clock.

(Members present: Representatives Walter and Moulder.)

(Whereupon, at 12:05 p.m., Wednesday, September 3, 1958, the committee recessed, to reconvene at 2 p.m. of the same day.)

AFTERNOON SESSION—WEDNESDAY, SEPTEMBER 3, 1958

The hearing was resumed at 2:20 p.m., pursuant to the recess.

(Committee members present: Representatives Walter and Moulder.)

The CHAIRMAN. The hearing will be in order.

Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GAVRON. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF JOSEPH I. GAVRON, ACCOMPANIED BY COUNSEL, ROBERT J. SCHMORLEITZ

Mr. TAVENNER. Will you state your name, please, sir?

Mr. GAVRON. Joseph I. Gavron.

Mr. TAVENNER. Will you spell your last name?

Mr. GAVRON. G-a-v-r-o-n.

Mr. TAVENNER. It is noticed that the witness is accompanied by counsel. Will counsel please identify himself for the record?

Mr. SCHMORLEITZ. Robert J. Schmorleitz, member of the California Bar, offices at 11108 Houston Street, North Hollywood.

Mr. TAVENNER. Where do you reside, Mr. Gavron?

Mr. GAVRON. In Sun Valley.

Mr. TAVENNER. What is the address?

Mr. GAVRON. 10447 Lanark Street.

Mr. TAVENNER. When and where were you born?

Mr. GAVRON. I was born in Perth Amboy, N.J., in 1920, November 1.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence, if it is the place of your permanent residence?

Mr. GAVRON. In 1946.

Mr. TAVENNER. What is your occupation?

Mr. GAVRON. I am a salesman.

Mr. TAVENNER. Will you tell the committee, briefly, what your formal educational training has been?

Mr. GAVRON. Well, I went to elementary school, then to junior high, and was graduated from high school in 1937; and I went for a period of 3½ years to a number of junior colleges in the evening. That is the extent of my formal education.

Mr. TAVENNER. What has been your record of employment in California since your arrival in 1946?

Mr. GAVRON. I have always been a salesman.

Mr. TAVENNER. Salesman in what type of work?

Mr. GAVRON. In general food industry.

Mr. TAVENNER. Does this carry you outside of the corporate limits of Los Angeles?

(Witness confers with counsel.)

Mr. GAVRON. May I ask, sir, the pertinency of that question, the pertinency of that question relative to the committee hearing?

Mr. TAVENNER. The pertinency of that question is that the committee desires to know to what extent you have been available in the Southern District of California for carrying on presently the work of the Communist Party in this area; and the fact that your duties confine you to the city of Los Angeles or whether it is over a broader area is certainly pertinent in following the committee's investigation of the present activities and purposes of the present activities of the Communist Party in this area.

(Witness confers with counsel.)

Mr. GAVRON. Sir, I respectfully decline to answer that question on the grounds of the first and fifth amendments and also on the grounds of pertinency.

Mr. TAVENNER. Are you relying on that part of the fifth amendment which has to do with the giving of testimony against yourself or the self-incrimination section of the fifth amendment?

(Witness confers with counsel.)

Mr. GAVRON. I am relying on the entire fifth amendment, which includes, of course, the section that you just stated.

Mr. TAVENNER. Do you honestly apprehend that a truthful answer to the question I asked you would tend to incriminate you?

Mr. GAVRON. Sir, I have already given my answer to that question.

The CHAIRMAN. You have not answered this question. Answer the question.

Mr. GAVRON. I answer the question, sir, on the same grounds that I have previously stated.

The CHAIRMAN. In other words, you refuse to answer the question on the grounds that you have stated?

Mr. GAVRON. That is correct, sir.

The CHAIRMAN. All right.

Mr. TAVENNER. I think, Mr. Chairman, in light of the witness' refusal to answer a plain question which is addressed to the real motive of his refusal to answer, that he should be directed to answer.

The CHAIRMAN. I have directed him to answer.

Mr. TAVENNER. You understand you have been directed to answer the question?

(Witness confers with counsel.)

Mr. GAVRON. For the record, I have refused to answer the question on the grounds that I have previously stated, based on the first and fifth amendments of the Constitution, and I refuse to answer this question on the same grounds.

Mr. TAVENNER. Mr. Gavron, during the course of this hearing and the investigation made by the committee prior to the hearing, it has been ascertained that a new organizational setup has been made for the Communist Party in the State of California. The State of California has now been divided into two districts, one being the Southern District of the Communist Party of California, which we understand has a district council composed of 62 members.

Are you a member of that council?

Mr. GAVRON. I respectfully, sir, refuse to answer the question on the grounds of the first amendment to the Constitution, supplemented by the fifth amendment.

Mr. TAVENNER. The committee understands that the first organizational meeting of the newly established district occurred on April 13 and 14, 1957, and at this meeting the chairman of this district, Dorothy Healey, made a rather extended report on trade union matters, the Jewish question, the People's World, and numerous other subjects. Among the items covered by her report was a section relating to youth.

Have you been particularly interested in Communist Party activities within youth groups?

Mr. GAVRON. Sir, I respectfully decline to answer the question on the grounds of the first amendment and the fifth amendment.

Mr. TAVENNER. Have you read the section of Dorothy Healey's report on youth?

Mr. GAVRON. Sir, I again respectfully decline to answer this question both on the grounds of the first amendment to the Constitution, supplemented by the fifth amendment to the Constitution.

Mr. TAVENNER. Have you not, for a long period of time, been interested actively in various phases of the youth movement at the instance of the Communist Party?

Mr. GAVRON. Again, sir, I respectfully decline to answer that question on the grounds of the first amendment to the Constitution as well as the fifth amendment to the Constitution.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a thermofax copy of the February 16, 1948, issue of People's World and ask that it be marked "Gavron Exhibit No. 1."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Gavron Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. This excerpt includes an article entitled, "Army Draft Protest Set Tonight." It announces the speakers who were to appear on this program, and the last one mentioned is Joseph Gavron, American Youth for Democracy board member.

Were you correctly described there as a board member of the American Youth for Democracy?

(Document handed to witness.)

Mr. GAVRON. Sir, I respectfully decline to answer the question both on the grounds of the first amendment to our Constitution, supplemented by the fifth amendment to our Constitution.

Mr. TAVENNER. Have you also been active in the work of the Labor Youth League in Los Angeles?

Mr. GAVRON. Sir, I respectfully decline to answer that question on the grounds both of the first amendment to our Constitution, supplemented by the fifth amendment to our Constitution.

Mr. TAVENNER. It is our understanding from the records of the Sixteenth National Convention of the Communist Party, held in New York February 1957, that generally speaking the work of the Communist Party in youth groups was failing, or at least that they were being unsuccessful, in attracting the attention of the youth of the country as it had hoped to do.

You are familiar with that, are you not?

Mr. GAVRON. I again, sir, respectfully refuse to answer the question both on the grounds of the first and fifth amendments.

Mr. TAVENNER. Has this not led to the disbandment of the Labor Youth League of America, which is, of course, a cited organization, cited as a Communist organization?

Mr. GAVRON. Again, sir, I respectfully decline to answer the question, based both on the grounds of the first amendment to our Constitution as well as on the grounds of the fifth amendment to our Constitution.

Mr. TAVENNER. Aren't you involved now in a plan of the Communist Party to extend and renew its activities among youth?

Mr. GAVRON. Again, sir, I respectfully decline to answer the question, based on the grounds of the first amendment to the Constitution as well as the fifth amendment to the Constitution.

Mr. TAVENNER. Will you give the committee the benefit of what knowledge you have of the present plan of the Communist Party to extend its activities among youth or in youth fields?

Mr. GAVRON. Again, sir, I respectfully decline to answer the question, based on the first amendment to the Constitution as well as the fifth amendment to the Constitution.

Mr. TAVENNER. Have you, at any time, engaged in work within the Independent Progressive Party of California at the instance of the Communist Party? That is, work carrying on Communist Party activities within that group?

Mr. GAVRON. Again, sir, I respectfully decline to answer the question, based on both the first amendment to the Constitution, as well as on the grounds of the fifth amendment to our Constitution.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of the petition to participate in the primary election June 1, 1948, of the Independent Progressive Party of California and ask that it be marked "Gavron Exhibit No. 2."

The CHAIRMAN. It will be put in the record.

(Document marked "Gavron Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. At the end of this petition, which lists a number of names as petitioners, there is an affidavit in the name of Joseph Gavron regarding the circulation of the petition.

Mr. Gavron, will you examine this affidavit and state whether or not the signature appearing there is your genuine signature?

Mr. GAVRON. Sir—

(Witness confers with counsel.)

Mr. GAVRON. Sir, I respectfully decline to answer that question, based on the first amendment to our Constitution as well as the fifth amendment to our Constitution.

Mr. TAVENNER. Mr. Gavron, there has been introduced in evidence, during the course of this hearing, a letter of grievances signed by 22 persons, under date of December 14, 1957, and directed to the National Committee of the Communist Party. This letter is quite a severe indictment of the leadership, the present leadership of the Communist Party, on a national level.

According to the committee's information, we are able to identify the names of those who signed that letter. The full names of some are given. In other instances, only the first name and middle initial. In some instances, only the first name is given. We find here, for instance, the name of "Joe," with the designation of the Communist Party unit of which he was a member as "Valley 22."

Will you state whether or not that was your method of signing this letter of grievances?

Mr. GAVRON. Sir, I respectfully decline to answer the question, based upon the grounds of the first amendment to our Constitution, supplemented by the fifth amendment to our Constitution.

Mr. TAVENNER. Did you sign it?

Mr. GAVRON. I have already answered the question, sir. I will answer it again.

I do respectfully decline to answer it, based on the constitutional grounds of the first amendment to our Constitution as well as the fifth amendment to our Constitution, sir.

Mr. TAVENNER. Were you a member of the Communist Party of the Southern District of California on December 14, 1957?

Mr. GAVRON. I again, sir, respectfully refuse, decline to answer the question, based on the first and fifth amendments to our Constitution.

Mr. TAVENNER. That letter of protest or letter of grievances was replied to by Dorothy Healey. She circulated her reply in writing on the 9th day of March 1958, among the 62 members of the District Council of the Communist Party for the Southern District of California.

Did you receive a copy of that reply?

Mr. GAVRON. Sir, I respectfully decline to answer the question, based on both the first and fifth amendments to our Constitution.

Mr. TAVENNER. The reply apparently did not persuade the majority of those who signed the letter of grievances or, rather, it may have persuaded the majority, but not all of those who signed the letter of grievances, for on March 26, 1958, a letter of resignation was signed by a number of persons, directed to the National Committee of the Communist Party. Did you sign any such letter?

We do not find your name; I will state it fairly that we do not find your name or anything indicating the presence of your name on the letter of resignation. But have you signed any resignation, whether on that date or any other date, as a member of the Communist Party?

(Witness confers with his counsel.)

Mr. GAVRON. Sir, I respectfully decline to answer the question, based on the grounds of the first amendment and the fifth amendment to our Constitution.

Mr. TAVENNER. Now, having studied the letter of grievances to which your name is attached, I am convinced that you do not agree with the leadership of the Communist Party on a national level. I am rather persuaded to think that you are not now a member of the Communist Party. Why do you not give us the facts?

Is it true that you are not now a member of the Communist Party?

Mr. GAVRON. Sir, you have a number of questions involved in the last statement, so if you would—

Mr. TAVENNER. Just answer the last one. You are not now a member of the Communist Party, are you?

Mr. GAVRON. I am not a member of the Communist Party.

Mr. TAVENNER. I thought not. And you are not a member because you disagreed with the leadership of the Communist Party, did you not?

Mr. GAVRON. I respectfully decline to answer the question, based on the first and fifth amendments to our Constitution.

Mr. TAVENNER. As a practical matter, Mr. Gavron, the members of this committee understand these problems. You are not fooling anybody by saying that you are not a member now but not saying anything about having resigned from the Communist Party. There can only be one fair, reasonable inference from your testimony. Now, why do you not give the committee the full facts in regard to it? We have important matters to ask you that are certainly within your knowledge.

Why are you not frank with this group and tell them the facts, instead of trying to play a game with the committee?

Mr. GAVRON. Would the counsel kindly rephrase the question?

Mr. TAVENNER. Yes. Why do you continue to play a game with the committee and refuse to answer a question which relates to important matters that this committee wants to learn about?

Mr. GAVRON. Sir, I respectfully suggest that I am not playing a game with the committee, and have in the past and will continue to, during the process of the hearing, answer the questions or decline to answer the questions in as proper and respectful a manner as I can.

Mr. TAVENNER. Yes, I am impressed with that. I am impressed with your respectful attitude. And I think you want to tell this committee the facts. Why don't you do it? What is there to prevent you from doing it? Is there any fear or have there been any threats of any character that would influence you?

(Witness confers with his counsel.)

Mr. GAVRON. It is, sir, my feeling that in regard to the general areas protected by the first amendment relative to association, freedom of speech and press, political persuasion, that these areas are quite specifically protected from inquiry from a congressional committee, and it is for this reason that I respectfully refrain from discussing matters that fall into this general category.

Mr. TAVENNER. Although your name is not subscribed as one of those who signed the letter of resignation, did you later subscribe to it in any form, by way of approval?

Mr. GAVRON. Sir, I respectfully decline to answer the question, based on the first amendment to our Constitution and the fifth amendment to our Constitution.

Mr. TAVENNER. Now, having ascertained that you are no longer a member of the Communist Party and having the information of which I have spoken regarding your former Communist Party membership and the signing of your name as one of those who opposed the leadership of the Communist Party in the letter of grievances, and coupled with your continual refusal after having every opportunity to give us an explanation, I am left with no possible conclusion in the matter other than this which appears in the letter of grievances which you signed. There is a recommendation in this letter asking that the present structure of the Communist Party be made more flexible so that membership in the present type of party club is not necessarily a requirement for adherence to the Communist Party. You understand what I mean?

Mr. GAVRON. I believe I understand what you just said.

Mr. TAVENNER. In other words, here is a request or, rather, a statement of grievances signed by you which is asking the privilege of not being, organizationally speaking, a member of the Communist Party, but yet—

(Witness confers with counsel.)

Mr. TAVENNER. But yet one who adheres to the organization.

Now, doesn't that mean that as far as you are concerned—I will not ask about other people in regard to it, but only as to you—that you are just as much a member of the Communist Party today in carrying out its objectives as you were before this letter of grievances was sent forth except that you are not, organizationally speaking, a dues-paying member?

You are nodding your head with approval.

Mr. GAVRON. Sir—

Mr. TAVENNER. And I assume you agree to that.

Mr. GAVRON. No, sir. I would like to say that your reference—

(Counsel confers with witness.)

Mr. GAVRON. Sir, you made reference to the signature to a letter of grievances, allegedly mine. I made no such statement in recognition of any signature or letter. The assumption that the name is mine is yours to make.

The CHAIRMAN. Was it yours?

Mr. GAVRON. Sir, I respectfully declined to answer the question in a previous statement put forward to me by counsel.

The CHAIRMAN. Ask another question, Mr. Tavenner.

Mr. TAVENNER. You have not answered the question.

The CHAIRMAN. Of course he has not. Go ahead and ask another one.

Mr. TAVENNER. Are you now an adherent to the Communist Party organization although not, organizationally speaking, a dues-paying member?

Mr. GAVRON. I respectfully, Counselor, decline to answer the question based on the grounds of the first and fifth amendments to our Constitution.

Mr. TAVENNER. And do you apprehend that a truthful answer to that question might tend to incriminate you?

Mr. GAVRON. I have, sir, respectfully indicated my answer to the question.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. MOULDER. Just one question, Mr. Chairman.

Did you know that this committee is striving to secure through witnesses all the information it possibly can to assist the committee in formulating legislation to protect our national security? Do you have any knowledge or information concerning the act of any person within the Communist Party which is subversive or which endangers our national security?

(Witness confers with counsel.)

Mr. GAVRON. Sir, I have no knowledge of any individual who is a threat to the security of our country.

Mr. MOULDER. Have you yourself been guilty of committing any acts, subversive acts or conduct, which might endanger our national security or present system or form of Government?

Mr. GAVRON. Sir, I say most unequivocally that I have not ever committed any illegal acts, and in regard to the general reference to subversive, I would need a more definitive explanation of the term, sir.

Mr. MOULDER. Well, then, your answer causes me to ask you this question: How can you, in good faith, claim the provisions of the fifth amendment? By answering the questions in that way you are placing yourself in the position of being subjected to prosecution, when you say you have not violated any law or committed any act of disloyalty which is a threat to our national security. Then how do you claim the provisions of the fifth amendment in answering questions which were propounded by counsel—that to answer might tend to incriminate you and subject you to prosecution?

Mr. GAVRON. I respectfully suggest that the concept of the fifth amendment is indeed not a shield for the guilty but rather, in fact, a shield for the innocent; and it is in that sense and in that regard that I claim the fifth amendment in response to the questions put forward to me by counsel.

The CHAIRMAN. That is the modern concept of the fifth amendment. Anything further, Mr. TAVENNER?

Mr. TAVENNER. Yes, sir, one question. Are you at this time a member of the 22d Congressional District unit of the Communist Party?

Mr. GAVRON. Sir, I respectfully decline to answer the question, based on the first and the fifth amendments.

Mr. TAVENNER. Just a moment ago, a little while ago, you said you were not at the present time a member of the Communist Party. Maybe you misunderstood my question: This is almost the same thing, when I ask you whether you are a member of a particular unit of the Communist Party at this time. Do you understand what I mean?

Mr. GAVRON. Yes, sir.

(Witness confers with counsel.)

Mr. GAVRON. Sir, would you kindly repeat the last question?

Mr. TAVENNER. Yes. Are you at this time a member of the 22d Congressional District unit of the Communist Party?

Mr. GAVRON. Sir, in the question, rather, put forward to me by you relative to membership in the Communist Party where I answered negatively, I again answer I do not belong nor am I a member of the Communist Party.

Mr. TAVENNER. Were you a member of that unit of the Communist Party at any time in March of 1958?

Mr. GAVRON. Sir, I respectfully decline to answer the question, based on the grounds of the first amendment, supplemented by the fifth.

Mr. TAVENNER. There was a very important meeting of the district council of the Communist Party on the 27th of July 1958. So I would like to ask you whether or not at any time during the month of July 1958 you were a member of the 22d Congressional District unit of the Communist Party?

Mr. GAVRON. Sir, I again respectfully decline to answer the question, based on the first and fifth amendments to our Constitution.

Mr. TAVENNER. Although you say you are not a member of the Communist Party today, which is the 3d day of September, were you a member of the Communist Party on the 1st day of September 1958?

Let me correct that by saying: Were you a member of the 22d Congressional District unit of the Communist Party on the 1st day of September of this year, just 2 or 3 days ago?

Mr. GAVRON. Sir, I respectfully decline to answer the question, based on both the first and the fifth amendments to the Constitution.

Mr. TAVENNER. You see that makes us question your good faith in your denial of Communist Party membership. Did you determine that you were no longer a member of the Communist Party when you appeared in this building to attend this hearing? Was that the time you ceased to become a member?

Mr. GAVRON. I respectfully give the same answer, sir, that I gave a moment ago, based on the first and fifth amendments.

Mr. TAVENNER. Let us come to the point. Were you a member of the Communist Party when you entered the door to this hearing room immediately prior to taking the witness stand?

Mr. GAVRON. The same answer to the question, sir. I decline to answer it, respectfully decline, on the grounds of the first and fifth amendments.

The CHAIRMAN. Is that all, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. The witness is excused.

Mr. TAVENNER. Call Esther Sokolow.

The CHAIRMAN. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SOKOLOV. I do!

TESTIMONY OF ESTHER GOLDIE SOKOLOV, ACCOMPANIED BY COUNSEL, AL WIRIN

Mr. TAVENNER. What is your name, please?

Mrs. SOKOLOV. Esther Sokolow.

Mr. TAVENNER. Will you spell your last name?

Mrs. SOKOLOV. S-o-k-o-l-o-w.

Mr. TAVENNER. Do you have a middle name?

Mrs. SOKOLOV. No, I don't.

Mr. TAVENNER. Is that your married name?

Mrs. SOKOLOW. Oh, wait a minute. I had a middle name once. It was Goldie, G-o-l-d-i-e. I never use it.

Mr. TAVENNER. Is that your married name or your maiden name?

Mrs. SOKOLOW. My married name.

Mr. TAVENNER. What was your name prior to marriage?

Mrs. SOKOLOW. I am afraid I won't be able to answer that question under the fifth amendment.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel, Mr. Al Wirin, a member of the Los Angeles Bar.

Where were you born?

Mrs. SOKOLOW. Cincinnati, Ohio.

Mr. TAVENNER. What day?

Mrs. SOKOLOW. April 1, 1902.

Mr. TAVENNER. When did you first come to California to make it your permanent place of residence?

Mrs. SOKOLOW. Let's see. I was brought here—I can't remember whether it was 1910 or 1911, one of those 2 years.

Mr. TAVENNER. What is your profession?

Mrs. SOKOLOW. I am a social worker.

Mr. TAVENNER. Have you been engaged in the work of any profession?

Mrs. SOKOLOW. Yes. I taught for a short while.

Mr. TAVENNER. Over what period of time?

Mrs. SOKOLOW. 19—one semester in 1923 and one semester in 1924, and I was on the substitute list for about 2 years, but I didn't get called very often.

Mr. TAVENNER. When was that?

Mrs. SOKOLOW. Immediately following—no, wait a minute—1927—I don't remember those dates, up to 1928.

(Counsel confers with witness.)

Mr. TAVENNER. 1928?

Mrs. SOKOLOW. I think that was the date that I terminated being on the substitute list.

Mr. TAVENNER. Did you apply for a teaching position in any more recent period than that?

Mrs. SOKOLOW. Not for teaching.

Mr. TAVENNER. What did you apply for?

Mrs. SOKOLOW. Well, I will tell you, I think I had better take the fifth on that.

Mr. TAVENNER. You say you think you should? Won't you change your mind and tell us the facts?

Mrs. SOKOLOW. No; I think maybe I had better take the fifth on that.

Mr. TAVENNER. Do you take the fifth amendment?

Mrs. SOKOLOW. I do.

Mr. TAVENNER. And by taking the fifth amendment, do you mean to state that if you gave a truthful answer, it might tend to incriminate you?

Mrs. SOKOLOW. It might. It wouldn't incriminate me.

Mr. TAVENNER. That is the definition of the fifth amendment.

Mrs. SOKOLOW. But it might open me up to prosecution, and my lawyer—

(Counsel confers with witness.)

Mrs. SOKOLOW. And my lawyer tells me that that is incrimination, Mr. TAVENNER. Will you tell us briefly what your formal educational training has been?

Mrs. SOKOLOW. Well, I have a B.A. and about 3 years of graduate work, including a master's in English.

Mr. TAVENNER. In what school did you receive your B.A. degree and do your master's work?

Mrs. SOKOLOW. The B.A. was from the University of California in Berkeley. The master's is from Occidental College.

Mr. TAVENNER. What year?

Mrs. SOKOLOW. Let me see. June of 1925, I got the master's.

Mr. TAVENNER. You stated that more recently you have been a social worker. Over what period of time specifically and where?

Mrs. SOKOLOW. A long time. But as I told you before, Mr. Tavenner, with respect to that—just a minute.

(Witness confers with counsel.)

Mr. WIRIN. May the question be read to the witness?

The CHAIRMAN. Read the question.

Mr. TAVENNER. I will restate the question.

Over what period of time have you been engaged in social work or welfare work?

Mrs. SOKOLOW. You know, I am just wondering, that doesn't seem too pertinent to me, and I am afraid I am going to have to take the fifth on that.

The CHAIRMAN. Don't you be afraid. Are you going to invoke the fifth amendment? Do you invoke the fifth amendment?

Mrs. SOKOLOW. Oh, yes, I do.

Mr. MOULDER. May I interpose this question? Are you now employed by the city government or State government in that capacity, as a social worker?

(Counsel confers with witness.)

Mr. WIRIN. May I speak to the witness?

The CHAIRMAN. Yes, you may.

Mrs. SOKOLOW. May I ask you to repeat that question?

Mr. MOULDER. Are you now employed by the city government or the county, State, or Federal Government as a social worker or in any other capacity?

Mrs. SOKOLOW. I ask to be excused from this question. You see, the committee knows where I work. I was served—

The CHAIRMAN. Your request to be excused is not adequate. You are directed to answer the question.

Mrs. SOKOLOW. I asked to be excused on the basis—

The CHAIRMAN. I already said you would not be excused from answering the question, and I am directing you to answer the question that Judge Moulder just propounded.

Mr. WIRIN. May she state the reasons why she cannot answer the question? She has not finished her answer, Mr. Walter. She has begun to state the reasons.

The CHAIRMAN. No, she did not at all. She said she wanted to be excused.

Mr. WIRIN. This was her way of beginning to state her reasons. May she continue?

The CHAIRMAN. Just say you are not going to answer it and then tell us why.

Mrs. SOKOLOW. I cannot answer because, first, you know where I am employed. I was served there. Secondly, I work for a very reputable agency and I do not want to embarrass my employers.

The CHAIRMAN. Why would it be embarrassing to your employers?

Mrs. SOKOLOW. It would be embarrassing to my employers, and also I really don't want to lose my job.

Mr. WIRIN. Just one second.

(Counsel confers with witness.)

Mr. WIRIN. She wants to answer your question a little more fully. She hasn't answered your inquiry.

The CHAIRMAN. Can we assume from that that you are not employed by the Government or any subdivision thereof?

Mrs. SOKOLOW. You may assume thereof.

The CHAIRMAN. Now we are making a little progress. Go ahead, Mr. TAVENNER.

Mr. TAVENNER. Were you a member at any time of the Communist Party in the Silver Lake area?

Mrs. SOKOLOW. I decline to answer on the basis of the fifth amendment and on the basis that it is hardly pertinent.

Mr. TAVENNER. Have you not expressed a disagreement with the present leadership of the Communist Party in its methods of operation?

Mrs. SOKOLOW. I decline to answer on the basis of the fifth amendment.

Mr. TAVENNER. As a result of a disagreement, haven't you now resigned from the Communist Party?

Mr. WIRIN. Mr. Elloyd Wright has just come into the room.

The CHAIRMAN. Please sit down, Lloyd. That is all right.

Go ahead.

Mr. WIRIN. Mr. Wright's presence is not in connection with this present interrogation?

Mr. TAVENNER. Not at all.

Mr. WIRIN. He is here with regard to representation in a possible litigation?

Mrs. SOKOLOW. Your question was—

Mr. TAVENNER. My question was: Haven't you resigned from the Communist Party because of the opposition to the Communist Party leadership and the view that it is now ineffective?

(Witness confers with counsel.)

Mrs. SOKOLOW. I refuse to answer on the grounds of the fifth amendment and pertinency.

Mr. TAVENNER. We understand that you are not a member of the Communist Party.

Mrs. SOKOLOW. Same reason.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

We will take a few minutes' recess.

(Committee members present: Representatives Walter and Moulder.)

(Short recess.)

(Committee members present: Representatives Walter and Moulder.)

The CHAIRMAN: Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ISHIHARA. I do.

TESTIMONY OF SAKAE ISHIHARA, ACCOMPANIED BY COUNSEL,
AL WIRIN

Mr. TAVENNER. What is your name?

Mr. ISHIHARA. Sakae Ishihara.

Mr. TAVENNER. How do you spell your name?

Mr. ISHIHARA. S-a-k-a-e I-s-h-i-h-a-r-a.

Mr. TAVENNER. It is noted for the record that Mr. Al Wirin, a member of the California Bar and engaged in practice in Los Angeles, accompanies the witness.

Where do you reside, Mr. Ishihara?

Mr. ISHIHARA. In Los Angeles.

Mr. TAVENNER. What address?

(Witness confers with counsel.)

Mr. ISHIHARA. 4205 Mandalay Drive.

Mr. TAVENNER. When and where were you born?

Mr. ISHIHARA. Born April 20, 1921, in Dominguez, Calif.

Mr. TAVENNER. What is your occupation?

Mr. ISHIHARA. Printer.

Mr. TAVENNER. Will you tell the committee briefly what your formal educational training has been?

Mr. ISHIHARA. Graduate from high school and 2 years of university training.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. ISHIHARA. 12 years.

Mr. TAVENNER. I understand you have a very outstanding war record. What was the period of your service in the Armed Forces of the United States?

Mr. ISHIHARA. Since January of 1943 to February of 1946.

Mr. TAVENNER. You were not in the 442d Infantry were you?

Mr. ISHIHARA. No. I was in the military intelligence in the Pacific as a language interpreter and interrogator.

Mr. TAVENNER. Mr. Ishihara, the committee is inquiring into current Communist Party activities in Los Angeles resulting from a reorganization of the Communist Party in this area.

The committee has information that the first convention or the organizational convention of the present Southern District of the Communist Party of California was held in Los Angeles on April 13 and 14, 1957. We have information that you attended that convention. Are we correct in that?

(Witness confers with counsel.)

Mr. ISHIHARA. I refuse to answer on the grounds of the fifth amendment. I don't know how pertinent that is to what you mentioned.

Mr. TAVENNER. Well, if there is doubt about the pertinency, I think the pertinency will clearly appear from this question.

According to the committee's information, Dorothy Healey, the chairman of the Communist Party for the Southern District of California, at the convention, made a report on numerous questions

pursuant to her duties as a member of the National Committee of the Communist Party; and one of the subjects upon which she reported was the youth movement within the Communist Party.

Now, as preliminary to the questions to you about the youth movement of the Communist Party, my first question was whether you were there and heard the report.

(Witness confers with counsel.)

Mr. ISHIHARA. Well, I take in regards to your question, I refuse to answer on the fifth amendment.

Mr. TAVENNER. By the fifth amendment are you referring to that part of the fifth amendment relating to self-incrimination?

Mr. ISHIHARA. Yes.

Mr. TAVENNER. When you received your discharge from the Armed Forces of the United States, did you immediately come to the area of Los Angeles?

Mr. ISHIHARA. Well, I was discharged in Fort Douglas, Utah.

Mr. TAVENNER. Then did you come to Los Angeles at that time?

Mr. ISHIHARA. I believe I came within a period of a month. I am not sure now because my family was still living in Salt Lake City and my brother was here at the time, so I know within a period of a month I was here in Los Angeles.

Mr. TAVENNER. Did you become affiliated or reaffiliated with the Communist Party after returning to Los Angeles from your service in the Armed Forces?

Mr. ISHIHARA. I refuse to answer that on the fifth amendment.

Mr. TAVENNER. Did you, at the suggestion of any Communist Party unit or Communist Party functionary, engage in Communist Party activities in mass organizations or other groups outside the Communist Party?

Mr. ISHIHARA. I have to refuse that under the fifth amendment, also.

The CHAIRMAN. You do not have to. You say "I have to."

Mr. ISHIHARA. I am sorry.

The CHAIRMAN. Say "I do."

Mr. ISHIHARA. I am sorry.

Mr. TAVENNER. I offer in evidence a photostatic copy of the Independent Progressive Party of California petition to participate in the primary election of June 1, 1948, signed by a number of persons, at the end of which there is an affidavit regarding the circulation of the petition over the name of Sakae Ishihara, and ask that it be marked "Ishihara Exhibit No. 1."

The CHAIRMAN. It will be marked and made a part of the record.

(Document marked "Ishihara Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. Will you examine the affidavit at the end of the petition and state whether or not it was signed by you?

(Witness confers with counsel.)

Mr. TAVENNER. It is at the bottom of the page.

Mr. ISHIHARA. Yes, I see it. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Did you work with the Independent Progressive Party in carrying out Communist Party directives in the year 1948 or at any time since that date?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. I offer in evidence a thermofax copy of an excerpt from the May 7, 1948, issue of the People's World, which contains an article entitled "Southland Nisei Set Up Committee for Wallace," and ask that it be marked "Ishihara Exhibit No. 2."

The CHAIRMAN. It may be admitted and made a part of the record. (Document marked "Ishihara Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. This article refers to "a steering committee of five, headed by Sakaye Ishihara."

Will you examine it, please, and state whether it accurately describes you as a member of that committee?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Were you commissioned to organize within the Nisei group an organization known as the Nisei Progressives? I mean to say were you commissioned by the Communist Party to work in the organization of such a group?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an excerpt from the January 26, 1949, issue of the People's World.

The CHAIRMAN. Is that a Communist organization?

Mr. TAVENNER. I believe what I will say will throw a little more light on it.

The article entitled, "Nisei Group's Founding Rally On Tonight" has this to say:

Purpose of the conference, as outlined by Chairman Sakae Ishihara, is to found a new Nisei political action organization.

I would like to ask you, Witness, whether or not that organization was designed to succeed the Committee for Wallace organization in which you played an important part?

(Witness confers with his counsel.)

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Ishihara Exhibit No. 3."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Ishihara Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. In addition to the activities that I have mentioned, were you active in the Labor Youth League at the instance of the Communist Party?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Were you aware of the plans of the Communist Party in this area regarding the promotion of Communist activities among youth?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Have you been a sponsor of, or participant in, the work of the Los Angeles Committee for Protection of Foreign Born?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. I desire to offer in evidence a thermofax excerpt from the February 2, 1954, issue of the People's World entitled, "Foreign Born Committee Sets Parley Feb. 28," and ask that it be marked "Ishihara Exhibit No. 4."

The CHAIRMAN. We will make it part of the record.

(Document marked "Ishihara Exhibit No. 4," and retained in committee files.)

Mr. TAVENNER. Did you attend the conference of February 28, 1954?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Exhibit 447, on page 7870 of Communist Political Subversion issued by the Committee on Un-American Activities,¹ lists you as a sponsor of a conference to defend the rights of foreign-born Americans held by the Los Angeles Committee for Protection of Foreign Born on February 7, 1953. Did you permit your name to be used as a sponsor of that meeting?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Exhibit 464, on page 7798 of Communist Political Subversion consists of a letterhead of the Los Angeles Committee for Protection of Foreign Born. It is dated February 2, 1954. You are carried on the letterhead as a sponsor.

Did you permit your name to be used as a sponsor?

Mr. ISHIHARA. I refuse to answer—

Mr. TAVENNER. And you were a sponsor?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Again at page 7901 of the same document, exhibit 467 carries a letterhead of May 17, 1956, showing you as a sponsor of the Sixth Annual Conference to Repeal the Walter McCarran Law and to Defend Its Victims. Were you such a sponsor?

Mr. ISHIHARA. I refuse to answer that on the same grounds.

Mr. TAVENNER. Exhibit 474A, at page 7906 of the same publication, is a letterhead of the Sixth Annual Conference to Repeal the Walter McCarran Law and to Defend Its Victims. It is dated March 8, 1956. You are carried on this letterhead as a sponsor. Were you such a sponsor?

Mr. ISHIHARA. I refuse to answer on the same grounds.

Mr. TAVENNER. Exhibit 502A of the same document is a letterhead of the Los Angeles Committee for Protection of Foreign Born. It is dated February 24, 1956, and you are listed as a sponsor. Were you such a sponsor?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Are you a member of the Communist Party at this time?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. Did you attend a meeting of the District Council of the Communist Party for the Southern District of California and other functionaries held on the 27th of July 1958?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. It is our information that you did not attend such a meeting, but did you receive information relating to any of the views expressed in the reports made at that meeting regarding the Soviet Union and Hungary, the Soviet Union and the Arabic situation, and the views regarding minority groups in this country?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

¹ See appendix to hearings of Committee on Un-American Activities on Communist Political Subversion, 1956, 84th Cong., 2d sess.

Mr. TAVENNER. Are you a supporter of Dorothy Healey in her contest within the organization for this district?

Mr. ISHIHARA. I refuse to answer under the fifth amendment.

Mr. TAVENNER. You will not say which side you are on?

Mr. ISHIHARA. Not here.

Mr. TAVENNER. All right. That's good enough.

Mr. ISHIHARA. I do not know what you are talking about.

Mr. TAVENNER. I assume, then, you expect to be present in October when the question is decided?

Mr. ISHIHARA. You seem to know more about it than I do.

Mr. TAVENNER. Well, I know a great deal about it. I have no further questions.

Mr. WIRIN. May the witness be excused?

The CHAIRMAN. I never expected to see Americans of Japanese ancestry testify before this committee. You enjoy a distinction.

Is there anything further, Mr. Tavenner?

Mr. TAVENNER. No, sir.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BURTON. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF BERNARD BURTON, ACCOMPANIED BY COUNSEL, AL WIRIN

Mr. TAVENNER. What is your name, please?

Mr. BURTON. Sir, my name is Bernard Burton, B-u-r-t-o-n.

Mr. TAVENNER. It is noted for the record that the witness is accompanied by Mr. Al Wirin, member of the California Bar, having his offices in the city of Los Angeles.

Where do you live, Mr. Burton?

Mr. BURTON. 1811 Baxter Street, Los Angeles.

Mr. TAVENNER. Will you please state the place and time of your birth?

Mr. BURTON. June 10, 1915, Brooklyn, N.Y.

Mr. TAVENNER. What is your occupation?

Mr. BURTON. Well, as a result of the work of this committee, I am presently unemployed and have been so for the last month.

Mr. TAVENNER. What is your occupation?

Mr. BURTON. I am a proofreader and a journalist.

Mr. TAVENNER. Will you give the committee, please, a brief statement of your formal educational training?

Mr. BURTON. I had 2 years of college at the College of the City of New York, CCNY.

Mr. TAVENNER. When were you there?

Mr. BURTON. 1931 to 1934. Maybe it is 1932 to 1935. I can't be sure at this moment.

Mr. TAVENNER. When did you first come to California to make it the place of your business or your residence?

Mr. BURTON. September of 1955.

Mr. TAVENNER. Where did you live prior to that?

Mr. BURTON. In New York City.

Mr. TAVENNER. What was your occupation there?

Mr. BURTON. I was an editor.

Mr. TAVENNER. Editor of what paper?

Mr. BURTON. Of the New York Daily Worker.

Mr. TAVENNER. How long were you an editor of the Daily Worker?

Mr. BURTON. Well, I was with the Daily Worker a total of—let me see now—it is a total of almost 9 years, and I think for the last 4 or 5 years, I was an editor.

Mr. TAVENNER. That would take you back to about 1946 when you first went with the Daily Worker?

Mr. BURTON. That is correct.

Mr. TAVENNER. Prior to that what was the nature of your occupation?

Mr. BURTON. I was still a journalist. I worked on the Baltimore Sun.

Mr. TAVENNER. How long were you employed there?

Mr. BURTON. Only a few months. I left the Baltimore Sun to take a trip. That was shortly after my discharge. I only had a temporary job on the Baltimore Sun, waiting for a veteran to return. I took a trip over to California and then when I returned back East, I was offered a job on the Daily Worker.

Mr. TAVENNER. Prior to your employment with the Baltimore Sun, what was your occupation?

Mr. BURTON. I was still a journalist. I was in the service at the time on the Stars and Stripes.

Mr. TAVENNER. Over what period of time were you in the armed services?

Mr. BURTON. I was in the armed services from March, 1943 to December of 1945.

(Counsel confers with witness.)

Mr. TAVENNER. What were you prior to your entry into the service?

Mr. BURTON. First in the service I did not spend my complete time on the Stars and Stripes. I had 275 days of front line action, which the War Department records will show as a combat infantryman. Prior to my service I was in upstate New York.

Mr. TAVENNER. Elmira, N.Y.?

Mr. BURTON. Part of it was in Elmira, N.Y.

Mr. TAVENNER. Were your headquarters in Elmira, N.Y.?

Mr. BURTON. I didn't have any headquarters. I lived in Elmira, N.Y.

Mr. TAVENNER. Were you the Communist Party organizer of that area?

Mr. BURTON. Yes; I was the Communist Party organizer of that area.

Mr. TAVENNER. Over what period of time?

Mr. BURTON. From 1939 until my entry into the service. I don't know what part of 1939. My recollection is it was the latter part of 1939.

Mr. TAVENNER. Were any of the organizers of UE members of the Communist Party over the area in which you had control?

Mr. BURTON. Well, I must respectfully decline to answer that question on the grounds that (1) as a matter of morality and conscience I

cannot be an informer. No. 2, I don't believe that names are pertinent to any legislative question. And No. 3, on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. By the fifth amendment, are you including that part of the fifth amendment relating to self-incrimination?

Mr. BURTON. Yes; I include that, too.

Mr. TAVENNER. Having admitted that he was the Communist Party organizer at Elmira, N.Y., it certainly is apparent, Mr. Chairman, that any right that he may have had to refuse to answer the question on the grounds of self-incrimination is now waived; and, therefore, I request that the witness be directed to answer the question.

Mr. WRIN. May I state for the record, just briefly, that I have advised the witness that under the present law he does not waive his right to privilege merely by having answered the question as to his occupation and as to participation in activities of the Communist Party with respect to names.

The CHAIRMAN. Let us ask another question, Mr. Tavenner.

Mr. BURTON. May I merely interject here?

The CHAIRMAN. There is no question pending.

Mr. BURTON. I am sorry, Mr. Chairman.

Mr. TAVENNER. Did you attend the National Training School set up by the National Committee of the Communist Party for the training of theoreticians and propagandists in Camp Beacon on the Hudson in the spring of 1946?

(Witness confers with counsel.)

Mr. BURTON. Yes, I attended that.

Mr. TAVENNER. Was that school run and operated by the Communist Party as indicated in my question?

Mr. BURTON. I believe it was, yes.

Mr. TAVENNER. You know it was, do you not?

Mr. BURTON. Let us see, on concrete information, all I can say is I believe it was. I cannot produce any documentary proof to show that it was.

Mr. TAVENNER. When did you first become a member of the Communist Party?

Mr. BURTON. 1935.

Mr. TAVENNER. Where?

Mr. BURTON. In Brooklyn, N.Y. No, no, Newburgh, N.Y.

Mr. TAVENNER. Newburgh?

Mr. BURTON. Yes.

Mr. TAVENNER. What was the first Communist Party unit to which you were assigned?

Mr. BURTON. As far as I know there was one Communist Party club in Newburgh, N.Y., and I joined it.

Mr. TAVENNER. What were the circumstances under which you became a member?

Mr. BURTON. I was moved by the depression that then existed in the land. It seemed to me that the Communist Party, at the time, was filling a vacuum in attempting to do something for the unemployment in presenting some kind of a positive program. It was a basic reason for my joining the party.

Mr. TAVENNER. What official positions have you held in the Communist Party?

Mr. BURTON. Well, I don't know what you mean by official positions—members of committees?

Mr. TAVENNER. Let us take first members of units or groups or commissions of the Communist Party.

Mr. BURTON. Well, I might have held various club offices. As a matter of fact, I don't even remember holding a club office. I have been what you call a Communist Party section organizer, as I testified before.

Mr. TAVENNER. Yes. Over what period of time were you a Communist Party organizer?

Mr. BURTON. From 19—wait—1935 to 1937 first. Latter part of 1935 to 1937, and then from 1939 to 1943, as I previously testified.

Mr. TAVENNER. For the period 1935 to 1937, where were you located?

Mr. BURTON. In Newburgh, N.Y.

Mr. TAVENNER. And then the latter period you were a Communist organizer at what place?

Mr. BURTON. The Elmira-Binghamton area, commonly referred to as the southern tier of New York State.

Mr. TAVENNER. Did I understand that it was from 1939 to 1943?

Mr. BURTON. Yes.

Mr. TAVENNER. What was your affiliation with the Communist Party in the period between the times that you occupied those positions which you have described?

Mr. BURTON. I was a member of the Communist Party.

Mr. TAVENNER. Where were you?

Mr. BURTON. Up and down in the Hudson Valley.

Mr. TAVENNER. Engaged in what work?

Mr. BURTON. I was an organizer for the CIO Textile Workers' Organizing Committee.

Mr. TAVENNER. Were you at any time connected with the UE as an organizer?

Mr. BURTON. No, I was never connected with the UE.

Mr. MOULDER. Do I understand that you are an organizer, soliciting Communist Party membership within the CIO?

Mr. BURTON. No, I was a trade union organizer, soliciting workers into membership in a trade union.

Mr. MOULDER. In a trade union?

Mr. BURTON. Yes, sir.

Mr. MOULDER. Counsel made reference to your being an organizer of the Communist Party, as I understand the question.

Mr. BURTON. I understood it to be what was I doing between 1937 and 1939.

The CHAIRMAN. That is right.

Mr. TAVENNER. That is correct, between the two periods when he said he had been a Communist Party organizer.

Mr. BURTON. Yes, that is the way I understood it.

Mr. WIRIN. He admitted he was a Communist Party organizer on dates other than when he was working for the Textile Workers Union.

Mr. MOULDER. Then you were not a Communist Party organizer at that time?

Mr. BURTON. Not at that time.

Mr. TAVENNER. You were a member of the Communist Party during the time you were an organizer for the textile union?

Mr. BURTON. Yes.

Mr. TAVENNER. Did you hold a position in the Communist Party during that period of time?

Mr. BURTON. I don't recall holding any position.

Mr. TAVENNER. Were you on any commission or committee of the Communist Party during that period?

Mr. BURTON. No, I don't believe I was. At least I can't remember being. At a later period I was on a committee but that was pro forma.

Mr. MOULDER. Was your employment as an organizer of the CIO the result of your being an active Communist Party member?

Mr. BURTON. No, I became an organizer of the CIO as a result of the participating in the CIO volunteering drive.

Mr. MOULDER. You do not then feel that the Communist Party members had any influence in securing your position in the CIO as an organizer?

Mr. BURTON. None that I was aware of, because textile was one union in which the Communists had very little influence.

The CHAIRMAN. Who was the head of that union at that time?

Mr. BURTON. At that time the late Sidney Hillman.

Mr. TAVENNER. Will you give us the names of any other organizers of the textile union of the CIO while you were an organizer for that organization who were known by you to be members of the Communist Party?

Mr. BURTON. I must respectfully decline on previously stated grounds.

Mr. TAVENNER. May I ask that the witness be directed to answer?

The CHAIRMAN. You are directed to answer that question.

Mr. BURTON. I beg your pardon. I must respectfully decline on the same grounds.

The CHAIRMAN. You say "must." By that you mean "I do"?

Mr. BURTON. I am using "must" in the sense of conscience and volition.

Mr. TAVENNER. Then I believe you entered the armed services in 1943?

Mr. BURTON. Yes.

Mr. TAVENNER. And you returned and were discharged when?

Mr. BURTON. December 1945.

Mr. TAVENNER. An honorable discharge, I presume?

Mr. BURTON. Yes, indeed.

Mr. TAVENNER. When you returned in 1945, did you again resume your activities with the Communist Party?

Mr. BURTON. Yes, I rejoined the Communist Party.

Mr. TAVENNER. Where and when?

Mr. BURTON. In Baltimore.

Mr. TAVENNER. Who was the head of the Communist Party in Baltimore at that time?

Mr. BURTON. I again respectfully decline to answer on the same grounds.

Mr. TAVENNER. Was it Earl Reno?

Mr. BURTON. Same answer.

Mr. MOULDER. May I ask, were you solicited to join at that time or did you voluntarily seek out the headquarters of the Communist Party to become a member?

Mr. BURTON: I can't really recall. The ground would have been—the substance would not have made much difference. I mean I was willing to go back whether I had been solicited, whether somebody came to see me, or whether I went myself. I don't recall.

Mr. TAVENNER: Were you still on military leave at the time that you became a member?

Mr. BURTON: No, sir.

Mr. TAVENNER: Did you hold any official position in the Communist Party at Baltimore?

Mr. BURTON: No, I did not.

Mr. TAVENNER: Or in District No. 3, which comprised the District of Columbia and the State of Maryland?

Mr. BURTON: I didn't know that was the district number. No, I didn't know.

Mr. TAVENNER: Were you acquainted with Mary Markward, the treasurer of the Communist Party of that district?

Mr. BURTON: I do decline on the same grounds.

Mr. TAVENNER: Was the Communist Party of Baltimore at that time engaged in centralizing its work in the steel industry in Baltimore?

Mr. BURTON: I don't know what that means. I don't know what you mean by "centralizing."

Mr. TAVENNER: I mean by that, that it concentrated its effort within the steel unions in Baltimore.

Mr. BURTON: I don't really know.

Mr. TAVENNER: What type of a cell of the Communist Party was it to which you were assigned?

(Witness confers with counsel.)

Mr. BURTON: Excuse me for a moment. First, I was assigned to a neighborhood club.

Mr. TAVENNER: What was the name of the club?

Mr. BURTON: I don't even recall that. I don't even know if it had any.

Mr. TAVENNER: In what area of Baltimore was it located?

Mr. BURTON: I think that was known as the Highland area.

Mr. TAVENNER: Very well. What was the next group?

Mr. BURTON: I think it was the Steel Club of the Communist Party.

Mr. TAVENNER: Then, apparently, you know something about the concentration of effort in the steel industry?

Mr. BURTON: No, I would not know.

Mr. TAVENNER: If you were in the Steel Club of the Communist Party?

Mr. BURTON: I was in the Steel Club of the Communist Party because for a short while I was working in a steel mill.

Mr. TAVENNER: What mill?

Mr. BURTON: Bethlehem.

Mr. TAVENNER: How many composed your Communist Party unit in Bethlehem Steel?

Mr. BURTON: I don't recall that. I just don't know how many there were at this late stage.

Mr. TAVENNER: Can you give us approximately the number?

Mr. BURTON: No, I wouldn't be able to, the reason being that I worked in Bethlehem Steel about 3 weeks, and as far as I can recall,

I never went to a meeting of the Steel Club. I was asked to be in the Steel Club but I never got to one. I left for New York.

Mr. TAVENNER. You went to New York. In what business did you engage there and when?

Mr. BURTON. I went to New York as a reporter for the Daily Worker.

Mr. TAVENNER. What was that date?

Mr. BURTON. July of 1946.

Mr. TAVENNER. I assume you were a close friend of John Gates.

Mr. BURTON. I decline to answer that on the same grounds just to be consistent.

Mr. TAVENNER. And you left the Daily Worker when?

Mr. BURTON. August of 1955.

Mr. TAVENNER. And came to California?

Mr. BURTON. Yes.

Mr. TAVENNER. Were you a member of the Communist Party when you left the Daily Worker?

Mr. BURTON. Yes.

Mr. TAVENNER. What was your reason for leaving the Daily Worker?

Mr. BURTON. Well, there was an opening for a reporter on the Daily People's World here, and I sort of had a hankering to come out to California, and I sought to fill that opening.

Mr. TAVENNER. And how long were you engaged in work at the Daily People's World?

Mr. BURTON. From September of 1955 to exactly June 10 of 1957, when I resigned from the People's World.

Mr. TAVENNER. Now, were you transferred from the Daily Worker to the People's World? Did you know that you were going to receive the position before you left?

Mr. BURTON. Before I left, yes, I knew; but it wasn't a transfer. It was two separate papers.

Mr. TAVENNER. Through whom were your arrangements made to be employed on the Daily People's World?

Mr. BURTON. Well, I guess we get into the same grounds again, then.

Mr. TAVENNER. Was it Al Richmond?

Mr. BURTON. I will have to decline to answer that on the same grounds. I do that most respectfully.

Mr. TAVENNER. You say you resigned from the Communist Party in June?

Mr. BURTON. No, I resigned from the Daily People's World in June. I resigned from the Communist Party in April of 1957.

Mr. TAVENNER. April of 1957?

Mr. MOULDER. At that point, would you care to elaborate on that—why you resigned, why you disassociated yourself from the Communist Party?

Mr. BURTON. I would be most happy to.

As the committee may be aware, if they followed the somewhat dreary Communist Party debates that followed the secret Khrushchev report of 1956, so-called secret report, there was great dissension within the Communist Party. I was considered one of those fighting existing concepts. I published articles to that extent.

Mr. MOULDER. Existing concepts?

Mr. BURTON. Existing concepts, old concepts, under which the Communist Party had grown up, functioned. I raised many questions.

The final note came with the revolution in Hungary. I did not and do not accept the proposition that Hungary represented a Fascist counterrevolution. I held to the position then, and I still hold to it now, that Soviet intervention was not justified. I urged the Communist Party to take a critical stand, I and many others.

Mr. MOULDER. Communist Party where?

Mr. BURTON. Of the United States. It was a preconvention period where a national convention was coming up. You are hoping to accomplish something that way. I had entertained hopes for a while that it might happen, especially because of a number of Daily Worker editorials from back East which were highly critical.

And finally, when it came to the point following the national convention, where I became convinced this would not happen, I decided to leave the party. There were many others involved. I will bring in John Gates only to this point, saying that my views were considered similar to those of John Gates. I, for example, wrote an article—I still have it here—of what was then known as the National Discussion Bulletin of the Communist Party.

The CHAIRMAN. Is that what brought about someone calling you Tito. Didn't I read that somewhere?

Mr. BURTON. I think they may have. They called me worse than that.

This was a front-page article which called for the dissolution of the Communist Party, its establishment of a political action organization, the concept being that it should stop its nonsense about being the vanguard of the American working class—when, as far as the American working class goes, it hardly knows it exists—and start learning something about America.

I might add, again without mentioning names, that this became something of a cause celebre in party leaders who now control the party, who went throughout the land condemning this as a new form of liquidationism, Titoism, et cetera, et cetera.

All of these things culminated, and I came to the conclusion that the Communist Party was finished in this country, and I left the Communist Party.

That is it in brief. I can go into much more detail about theoretical concepts, and so on.

Mr. TAVENNER. Proceed.

Mr. BURTON. Well, I held to the views, for example, which at that time Togliatti of the Italian Communist Party advanced and since seems to have withdrawn, that any kind of communism or Socialist movement any place in the world, can interest only on what he called a polycentric basis, meaning by that that there cannot be a Communist Party of any one country which is judged superior in wisdom or in any way to that of another Communist Party. This apparently was not well received by those who now control the party.

Mr. MOULDER. Do I understand that you agreed to that concept?

Mr. BURTON. I agreed with that proposition. This apparently was not well received by those who control the party.

I might say, in more simple form, the final thing was that it became a sort of a mark of opprobrium. I was given the title of "West Coast

John Gates" which I had not earned, I do not think, but I was given that title. I think you gentlemen know the story of John Gates.

I might say that our positions, without ever having been in contact with each other during this period, were quite similar on almost all points. Actually, I preceded John Gates out of the party. John Gates and that group from the Daily Worker, as I recall, left the party at the time the Daily Worker folded. I don't recall the dates. But I know I preceded him out. I don't know what else to tell here.

May I add something here? Maybe I am anticipating the question and the chairman can stop me if I am.

As far as my views are concerned, I still consider myself a Socialist in outlook. I consider myself an independent Socialist. I hold to the view that there is not a single, existing organization in the United States today which holds to a Socialist viewpoint which is in any way capable of doing justice to that viewpoint or in any way capable of providing the germ or doing anything along the lines of socialism.

I also want to add here, without being disrespectful, that in my opinion the Communist Party would be even more atomized than it is today, had it not been for the work of this committee. I say that in most respectful terms.

The CHAIRMAN. It is an interesting thing. We are going to have a witness this week who will say just the opposite. He will say that the work of this committee prevented the Communist Party from expanding because it was not a popular thing to do—to be active in the Communist front.

Mr. BURTON. Let me say it this way: that there were great hazards in being a Communist. There still are. One risks economic consequences. One also risks certain other kinds of consequences, even legal consequences.

I think what happened in the Communist Party in the last 2 years was a wide-open debate which would have gone much further, had not a feeling arisen that you have got to hold back because you will be giving names out and, when you give names out, then some committee or other gets these names, and the next thing that happens these people lose their jobs.

Now, I may have the most profound disagreement with many people in the Communist Party and I do, as a matter of fact, with almost all of the people in the Communist Party. I do not put it on a personal basis; I put it purely on a political basis. Some I like as persons, some I dislike as persons, as everybody else; but, at the same time, morally and in conscience, I cannot talk about them and their views because I feel these people might lose their jobs, as I have lost mine. This becomes a big question in inhibiting interdebate in the Communist Party, which I believe would be good not only for what might happen later, but good for the country as a whole.

The CHAIRMAN. Do you think that perhaps Hungary would have stimulated such discussion that members would have torn each other apart?

Mr. BURTON. I think so. It came close to it. At least I almost felt the hot breath down my back.

The CHAIRMAN. I had a very interesting discussion with Johnny Santo.

Mr. BURTON. Is he in this country now?

The CHAIRMAN. No, I saw him in Geneva.

Mr. BURTON. One of the things that convinced me more than ever that what happened in Hungary was not a Fascist counterrevolution, was when I saw Johnny Santo's name in the New York Times. There were other things since then that convinced me. I do not think there can be indirect aggression by the State Department, just as I don't believe there can be by the Soviet Union. One country may try to keep the coals on the fire but they don't start the fire. I did not believe the Soviet propaganda that America started this thing, just as I am sorry to say that I do not believe the State Department propaganda that the Soviet Union started the trouble in Lebanon.

Mr. MOULDER. Going back to your point with reference to this committee, do I understand you to say that it is your belief that those who are undecided, or were undecided, in connection with the Communist activities were influenced to stay morally affiliated with the Communist Party because of sympathy with certain people or because of prejudice against the committee?

Mr. BURTON. I think that was a factor—not the sole factor—but that was a factor, because despite what may be thought generally, Communist Party members are Americans and subject to certain American attitudes. You do not kick a man while he is down. In other words, if a man is in jail and subject to penalty, imprisonment, subject to being fired from his job, you are going to lay off him, and you do not feel like walking out on people when they are in need of help.

Mr. MOULDER. Going back to the point that you raised about losing employment, you say you lost your employment?

Mr. BURTON. Yes.

Mr. MOULDER. How long ago?

Mr. BURTON. August 8.

Mr. MOULDER. What caused it?

Mr. BURTON. I had served as a proofreader at the Times for 13 months.

Mr. WIRIN. Los Angeles Times.

Mr. BURTON. Los Angeles Times.

The CHAIRMAN. Why did you lose your job?

Mr. BURTON. I am just explaining it.

I came in to work one day and was informed by the superintendent of the composing room, the print shop, that there was a subpoena waiting for me in the legal office of the Los Angeles Times on the fourth floor. I went up there, and there was a marshal. I believe it was the marshal. I didn't ask what he was. He had plain clothes on. And he handed me the subpoena in front of one of the Times attorneys, a subpoena of this committee asking me to appear, I think it was then dated for August 22.

When I got the subpoena I felt I wanted to go and talk to the Los Angeles Times administration myself. I didn't want it to come from the committee.

I will preface it by saying that the Los Angeles Times did not know of my former connections with the Daily Worker or with the People's World. I also preface it by saying that my leaving it out had nothing to do with my competency or my ability as a craftsman. I had

sufficient abilities and I did not overstate my abilities as a craftsman because, as a matter of fact, only 2 weeks before receiving the subpoena I received a raise.

The CHAIRMAN. What type of work were you doing?

Mr. BURTON. Proofreading. I might also say that the reason for my applying for proofreading was I did not want to take a job that, by any stretch of the imagination, could be construed sensitive. I spent most of my time as a proofreader seeing that there were no typographical errors in advertisements.

So I asked to see the management of the Los Angeles Times and I had a conference with the secretary of the Times-Mirror Co. in which I told him my whole background—I left nothing out—the same as I am telling this committee.

I told him my attitude, if I had to appear as a witness before the committee, would be that I am willing to testify about anything about myself but I cannot in conscience be an informer to provide names. They understood that but they felt that the Times was in a very difficult position, and I understood that, too; that the Times was.

Then I recognized that they had a legal right on those grounds to discharge me for not stating, giving my full employment background and my record.

Mr. MOULDER. Did you conceal it?

Mr. BURTON. Well, rather than concealing it, I omitted it. Yes, I omitted the Daily Worker and the People's World in my record. I knew I would never be employed by the Times had I put it down. And I might say that when I left the People's World, I thought, well, I will try to say where I had worked.

Mr. TAVENNER. I am sorry to interrupt you. The direct question was asked you. Is that your explanation?

Mr. BURTON. When you apply for employment at the personnel department, you are asked to list your previous employment.

Mr. TAVENNER. I see.

Mr. BURTON. Then I frankly resorted to subterfuges. For example, in the period of the Daily Worker, instead of saying the Daily Worker, I said the F and D Printing Co., which published the Daily Worker. The secretary of the company so stated that he understood. I needed a job. I had found that I could not obtain a job by telling the truth. I had tried that when I left the People's World.

When I heard of an opening for a proofreader at the Los Angeles Times, I felt, well, this is my area which nobody can say I am possibly infiltrating the paper, hunting for typographical errors and seeing that they are not made.

As a matter of fact, at that time I had heard of an opening on the copy desk of the Los Angeles Times for which I also was well qualified, on the editorial side, and I would not apply because I felt I just didn't want to get into anything that, by any stretch of the imagination, could be construed as sensitive or creative or anything of the sort. I took this job as a proofreader.

Well, the Los Angeles Times, the Times-Mirror Co., felt apparently that they would be put in a very difficult position. As a matter of fact, I was asked this question, and I say this because I don't feel any ill will toward the Los Angeles Times, I recognize that they had a right and I recognize things that the climate that then existed, they had a very difficult choice to make.

The Times—at least I got this impression from the discussion—the Times management felt that it would appear that I had not really resigned from the Communist Party. It would appear that I might not have really resigned from the People's World, because the interval of my leaving the People's World and obtaining a job on the Los Angeles Times was from June 10 to July 1.

I was in the unfortunate position of not having to wear a crown of thorns at the time. I was able to obtain work. I might point out that none of my former colleagues on the Daily Worker—and I pointed this out to the Los Angeles Times—Gates and the rest of them included—despite the fact that there had been editorial columns appearing in the papers at the time, you remember, praising Gates and the others, yet when these people left the paper, not one of them, not a single one of them has been able to obtain a job in the only craft and profession they know.

So that was the situation. I think, again without being disrespectful, had it not been for the kind of climate that is often spread by investigations of this type, there is a chance that the management may have overlooked it, may have decided that we have the right to do it, but we don't exercise this right, nothing compels us to exercise this right.

Mr. TAVENNER. Can we have a few minutes?

Mr. BURTON. I also wanted to state here—

Mr. TAVENNER. Wait just a minute.

The CHAIRMAN. We will take a recess.

(Committee members present: Representatives Walter and Moulder.)

Mr. TAVENNER. You will have an opportunity to finish what you started to say.

Mr. BURTON. I do not consider it a weighty thought.

(Short recess.)

(Committee members present: Representatives Walter and Moulder.)

The CHAIRMAN. All right, Mr. Tavenner.

Mr. BURTON. I wanted to state that I feel that it was a result of the subpoena that I was discharged.

Secondly, I again want to add that I feel that the committee, meaning no disrespect to any members of the committee, the committee in its method of functioning is not doing a service at this moment in the country. I think it is doing a disservice because, by its very nature, you are spreading a sort of atmosphere of fear, a sort of gray conformity, of fear of expressing any independent thought, and, if you please, dangerous thoughts.

Mr. TAVENNER. Then I take it you disagree with Congress' determination to keep informed as to the progress of Communist Party activities and its objects in this country?

Mr. BURTON. I might say as a Washington correspondent for two sessions of Congress, and again meaning no disrespect to the Congressmen, I think very few Congressmen are informed even despite the volumes of material that have been published by the committee.

Mr. TAVENNER. Yes, but you have not answered my question.

Mr. BURTON. Will you rephrase it?

Mr. TAVENNER. Will you read the question?

(Record read.)

Mr. BURTON. I think there are much more objective, much more rounded ways of keeping informed. For example, I have been quite impressed with the recent Ford Foundation study, called "The Roots of American Communism."

The CHAIRMAN. It is a great book.

Mr. BURTON. Which made me feel like the biggest fool that ever lived, having been a Communist for so many years and not having known about these things. But I was also impressed by the fact that this was scholarly, objective, and was not based upon what may be disgruntled statements of informers, of people who were defeated in some objective or some office or anything of the sort, but was fully documented, rounded, and everything else. It is this kind of a study; to me, which is the basis of objective understanding.

The CHAIRMAN. But who reads that? I will bet they do not sell a thousand copies over the United States, and it is one of the best works I have ever seen. There is another volume coming out, you know.

Mr. BURTON. Yes, I am looking forward to it.

The CHAIRMAN. Who is going to read it? Who is going to pay \$9 for the two volumes?

Mr. BURTON. Let me put it this way, Congressman: You, yourself, were complaining before that very few people read the reports of the House Committee on Un-American Activities.

The CHAIRMAN. You can find this volume on my desk. I read it and laid it there with the hope that some day someone will notice it. It is a trap. I have it there for the benefit of a lot of people, including the employees of the committee. This is the old booby trap. No one looks at it. It has been there for a month.

Mr. BURTON. Maybe they should have left the name "Communism" out of the title.

The CHAIRMAN. That is the point. You just do not bring the story home to the people.

Mr. BURTON. Well, if I may say—

The CHAIRMAN. Take Johnny Santo, for example: The immigrant, the labor organizer, the Communist, the Communist Party organizer, deported. The official of the Hungarian Government. And then all of a sudden a revolutionist. A terrific story. You would have a terrible time selling that to the Saturday Evening Post for \$500.

Mr. BURTON. I have been trying to freelance some stuff to the Saturday Evening Post and have been collecting a lot of rejects.

The CHAIRMAN. I mean it. It is a difficult thing to make people come to an appreciation of what is the right thing to do. That is what we want to know—what is the right thing to do.

Mr. BURTON. In my opinion, from long experience within the Communist movement, which may not be the typical experience, because most of it was as a newspaperman—in my opinion, people whom you may want to influence—I don't only mean Communists; I include Communists—but I mean people with liberal outlooks, if you please, radical outlooks, need radical outlook; I think the country needs a native radicalism. Begin with the proposition that anything issued by a congressional committee is suspect. It has happened down through the history of the radical movement in this country. I think the Ford Foundation bears this out, because there were definite reports

on these very same questions. But there are in this country a whole number of people like me who would welcome, and look for, a resurgence of a native type of radicalism.

Mr. MOULDER. What kind?

Mr. BURTON. Native radicalism like Eugene Debs.

The CHAIRMAN. Would you stand up on the housetops and say that anyone who is a Communist today, or has been a Communist since Hungary, is a sucker? Would you say that publicly? You would not.

Mr. BURTON. Let me say this: What has influenced Communists to leave the party, as far as reading material goes, more than anything else are certain Marxist non-Communist publications rather than publications of this committee. I include such things as the American Socialist, a monthly publication; the National Guardian, a weekly publication; certain stuff from abroad published in England called the New Reasoner, the University and Left Review, a very scholarly kind of thing.

The CHAIRMAN. Who reads that scholarly material?

Mr. BURTON. Communists do, at least those who study; not all of them do. This is because this is taken in an atmosphere of free take, and give debate, whereas one feels with a report from a congressional committee there is, rightly or wrongly, an element of compulsion.

The CHAIRMAN. But why? Now, Mr. Moulder was nominated. He has not a thing to worry about. I have been elected 13 times. Being here today just deprives me of the pleasure of sitting on the boardwalk of Atlantic City and helping to pick the winner of the beauty contest. But here I sit. But we do not enjoy this.

Mr. BURTON. I am sure you do not.

The CHAIRMAN. But a lot of people have an idea that we hold hearings just for the purpose of doing something.

Mr. BURTON. I have covered many hearings in Washington. I know the Congressmen do not enjoy it and often try to get out of it.

The CHAIRMAN. Of course we try to get out of it.

Mr. BURTON. I think it goes back to an old American tradition, "I will think what I please, and nobody is going to tell me what I will think." There is also an atmosphere that if any agency of the Government

The CHAIRMAN. Do you think the same thing is true, for example, when the Monopoly Subcommittee of the Judiciary Committee holds a hearing on the question of whether or not organized sports should be subject to the antitrust laws? Do you think people listen to those witnesses and pay attention?

Mr. BURTON. There, yes, because again of an old antimonopoly tradition in this country.

The CHAIRMAN. Every congressional committee is holding hearings constantly, you know that as well as I do.

Mr. BURTON. Also, although I am not a lawyer, far from it, there one feels Congress has the power and the right to legislate. Many people, including me, feel that Congress has no right to legislate in fields of thought, press, conviction, and so on.

The CHAIRMAN. It is not easy, is it?

Mr. BURTON. It is a fine point, I grant you. But it goes back to an old, I think, grassroots tradition in this country, which I am all in favor of.

The CHAIRMAN. Mr. Tavenner, do you have any questions?

Mr. TAVENNER. I would like to know whether the witness was a delegate to the Sixteenth National Convention of the Communist Party.

Mr. BURTON. No, I was not. I didn't stay in the show. My position was in print. I couldn't get elected.

Mr. TAVENNER. You have no first-hand knowledge of your own of the operation of that convention?

Mr. BURTON. It would be hearsay, purely hearsay.

Mr. TAVENNER. We have heard, during the course of this hearing, a great deal about recent activities of the Communist Party in this area in its effort to reorganize and advance in various directions. The last meeting to which we have referred was that of the District Council for the Southern District of California of July 27, 1958. When did you say that you left the Communist Party?

Mr. BURTON. April of 1957.

Mr. TAVENNER. And have you any knowledge of the workings of that meeting?

Mr. BURTON. The first I heard it was an element of surprise that this committee knew anything about it. That is the first I heard of it. I have not been involved in any Communist Party activities.

Mr. TAVENNER. On December 14, 1957, which is still subsequent to the time that you left the Communist Party, there was a letter of grievances signed by 22 members of the party here in Los Angeles directed to the National Committee of the Communist Party.

Were you in any way connected with that?

Mr. BURTON. No; I was not.

Mr. TAVENNER. Now, going back earlier and to about the time of your leaving the Communist Party, the organizing convention of the new Southern California District of the Communist Party was held April 13 and 14, 1957. Did you attend it?

Mr. BURTON. May I consult with my attorney?

(Witness confers with counsel.)

Mr. BURTON. Yes; I attended that.

Mr. TAVENNER. What was the difficulty presented to the membership of the council at that meeting?

Mr. BURTON. I don't quite—it doesn't connect in my mind. The difficulties of the council?

Mr. TAVENNER. Yes; were there any difficulties that arose before the council at that time?

Mr. BURTON. There wasn't a council in existence at that time. That was a convention you are referring to?

Mr. TAVENNER. Yes; it was a convention, not a council meeting.

Mr. BURTON. I can't recall any. I know I was nominated for office there and I declined. I had made up my mind I was leaving then.

Mr. TAVENNER. What office?

Mr. BURTON. District council.

Mr. TAVENNER. Were you ever a member of the district council?

Mr. BURTON. No; I was not. I was never—I never held any party post in California.

Mr. TAVENNER. Did you hear the report made at that convention by Dorothy Healey?

Mr. BURTON. Well, we are getting into the realm of names again, and I would again respectfully decline on the grounds previously stated.

Mr. TAVENNER. There is nothing of a secret character about Dorothy Healey's chairmanship of the Communist Party of this area, is there?

Mr. BURTON. I prefer to stay consistent. I just don't want to testify to her activities or I will get into that realm.

Mr. TAVENNER. Well, did you hear a report made by anyone at that convention, outlining the objectives of the Communist Party for this district?

Mr. BURTON. Yes; I did.

Mr. TAVENNER. Did you agree with the objectives of that report?

Mr. BURTON. It is a little difficult for me to recall. I heard so many reports in those days. But my impression is that I did not. That is the reason I refused to accept nomination for office. That is the reason I, at that time, made up my mind I was going to leave.

Mr. TAVENNER. What was the basic area of your objection?

Mr. BURTON. Well, I think there was one place in there—and it may be another report; I may be a little hazy here—for example—

Mr. TAVENNER. Would you like to look at the report?

(Document handed to the witness.)

Mr. BURTON. If you don't mind, because I heard so many reports that they all dissolve together in my mind. I can go through the subheadings and tell you. In the first place, I don't think this anti-monopoly coalition means anything.

Mr. TAVENNER. Enlarge on that. Why?

Mr. BURTON. Well, I think nobody needs the Communist Party to tell the American people they are antimonopoly.

Mr. TAVENNER. Actually speaking, from the Communist viewpoint, isn't that reference to antimonopoly just another way of opposition to the free enterprise system in this country?

Mr. BURTON. No; I don't think so.

Mr. TAVENNER. In the way in which it was used in the Communist Party?

Mr. BURTON. I think it was an attempt to sort of bring up to date the popular front line of working with other groups toward a common objective which, in itself, I don't think is wrong. But as a political perspective for any individual party, I thought it was just nonsense because, in my opinion—again meaning no disrespect for people who run for office—any political candidate who says, "I am for monopoly 100 percent" wouldn't stand a show. It doesn't mean anything to me to say that the Communist Party is against monopoly. I don't know any party who is for monopoly. I saw that as no basis for a political program.

So there were a whole number of things which were really, in a sense, the basic line of the party.

I am trying to skim through quickly, if it is of interest to the committee.

Well, of course, the business on labor, the general slogans of the Communist Party here are nothing to object to; they are general pro-labor slogans, and I am pro-labor. An article in the National Discussion Bulletin, on the front page, of November 1956 became one of the

points under which my position was attacked; namely, that the Communist Party has no right and no business acting as a group within another organization; namely, a trade union in this case. This whole thing was skirted. Nobody said they were going to do it. But there was my basic objection stated in print. I just didn't have to take the floor. Everybody knew where I stood on it.

Then again I say there are immediate things that they put up there, legislative things. There is nothing that I object to. It is omissions that I object to.

I certainly agree with their position on winning full citizenship for the Negro people in this country.

No sense in going through it all. I find some things which point up some of my differences. Some of this stuff is good public relations; and you have to be against motherhood to be against here.

I might state that the position developed in this report in relation to the Communist Party of Russia, although adopted by the convention, is one which is opposed by the present national leadership of the Communist Party. I did not disagree with the position put forth here. I thought there were some mealy-mouthed phrases. I would have liked to have had a stronger statement but I thought it was progress at the time in the context of the situation.

Of course, this part here is one which I objected to very strenuously.

An attempt to reach unity where this report speaks about no need to take a position on Hungary, actually I felt that if the Communist Party did not take a position on Hungary, it is political suicide; and I still believe it.

Mr. TAVENNER. Dorothy Healey, at a later time, expressed very vigorously her disapproval of the execution of Nagy and the whole Communist line against Hungary, but you were not present at that meeting?

Mr. BURTON. No. I heard about it. Whether it was in the press or on television that she stated it, I don't remember; but I heard it. This thing here, this report here, the question of Hungary was skirted.

I might say that had the reporter, whoever it was, taken, in my opinion, a full position on Hungary the way the particular reporter felt, that convention would have been thrown into turmoil. It was an attempt to avoid a position that keeps them calm.

Mr. TAVENNER. That evasion at that time served the national organization of the Communist Party in a very substantial way, didn't it?

Mr. BURTON. That was my feeling and that is why I left.

Mr. TAVENNER. There were a number of efforts made by the Soviet Union prior to, and immediately following the Sixteenth National Convention of the Communist Party, indicating a renewed effort to control the Communist Party in this country in much the same manner as Ducloux in his letter in 1945. That is true, is it not?

Mr. BURTON. I felt that way. I felt that way. I felt that the promise which was opened up by the wide debate and variance of opinion in the world Communist movement following the so-called secret Khrushchev report held great hope, but I soon began to feel that this was being withdrawn.

Mr. TAVENNER: And the declaration of the 12 Communist countries in 1957 was another action of the foreign Communist group which no doubt influenced you in your attitude?

Mr. BURTON: I agreed with the Yugoslavs even though I wasn't there.

Mr. TAVENNER: Yugoslavia was the only Communist country which would not become a party to it?

Mr. BURTON: Yes.

Mr. TAVENNER: And the 12-Party Declaration was warmly welcomed by the national committee after that committee had been subjected to the full control of the Foster group?

Mr. BURTON: I gather there were some shenanigans about that; although I was not there I gathered what happened. I don't believe I was in at the time. Maybe I was. I learned about it later anyway. I gather what happened is that a small group, the resident committee there, immediately warmly hailed it, to use an old leftwing cliché, and immediately there were protests from the nonresident members over various parts of the country. I don't know whether it was a majority protest, but there was considerable protest. I know there was some from California. So that's as I remember the situation.

Mr. TAVENNER: Now you expressed very vividly your opposition to the Communist Party program within labor as being a Communist Party group within a labor union.

I want to ask you if you take the same view with reference to the activities of the Communist Party with respect to the Negro question.

Mr. BURTON: As a matter of fact, in this article of November 1956, I state very explicitly that a political party to have any validity in the American scene must function in its own right. Communists who happen to be trade unionists, who happen to be any other kind of thing, they will function as trade unionists—just as any other person may be a Democrat and function as a trade unionist, and there is no doubt his philosophy will lead him in certain directions; but it is wrong, it is futile, and it is resented by a member of any organization to have the feeling that another member has a dual loyalty. This has been my position all along.

Mr. TAVENNER: Not only in the field of labor but in other fields?

Mr. BURTON: Any field.

Mr. TAVENNER: In connection with the Jewish question as posed in that report, in connection with the Negro question as posed in that report, do you not agree?

Mr. BURTON: Yes. Let me put it this way: If I were—I am a member of a Jewish center organization. I would like to see us reach the day that, supposing I were a Communist, a Socialist, whatever it is, I can be a Communist in philosophy, the director of the center may be a democrat in philosophy, but our first loyalty when we are in the center or in an organization is that center and that organization. When we go to a Communist Party meeting or a Democratic Party meeting, that is another question that has nothing to do with the center.

Mr. TAVENNER: But you do not believe in the Communist Party sending you, for instance, as a member in that organization to influence on behalf of the Communist Party even in cases against the interest of that organization?

Mr. BURTON. Of course, I have never known it to influence it in the case against the interests but I don't believe any organization should do that, Communist Party or anybody else. I don't believe in any group that is not native to that organization organizing itself as a group.

Mr. TAVENNER. But that has been the great basic plan of the Communist Party in order to capture membership.

Mr. BURTON. It is one which I disagree with and stated publicly.

Mr. TAVENNER. Yes, but it is one?

Mr. BURTON. Yes.

Mr. TAVENNER. One of the great basic principles upon which the Communist Party operates?

Mr. BURTON. Yes, and I think it is a futile one. I think the period has demonstrated that.

Mr. TAVENNER. Let me ask you this—it is now getting late. I think it would be to the advantage of the committee, and to you, if we are able to talk with you on these general problems a little at leisure, rather than continuing here at this time in this hearing.

Would you be willing to meet the investigator of the committee at some time and place that is convenient to you and discuss these problems which we have been discussing in a more thorough manner? (Witness confers with counsel.)

Mr. TAVENNER. With your counsel present, if he desires.

Mr. BURTON. I would very much like to consult my counsel at length about this.

If I have the power, I would rather postpone my answer, if it is possible, because I have some questions and some problems that arise that I would rather discuss with my counsel, if I may.

Mr. WIRIN. We will give you an answer or give Mr. Wheeler an answer in short order.

Mr. TAVENNER. That is all right.

The CHAIRMAN. All right.

(Whereupon, at 5:25 p.m., Wednesday, September 3, the committee recessed, to reconvene at 9:30 a.m., Thursday, September 4, 1958.

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